

**SUBJECT:** Providing notice of applications for permits for injection wells

**COMMITTEE:** Natural Resources — favorable, without amendment

**VOTE:** 7 ayes — Ritter, Callegari, Corte, Creighton, Frost, T. King, D. Miller  
0 nays  
4 absent — Laubenberg, Lucio, Martinez Fischer, Smithee

**WITNESSES:** For — Kathy Jones, Lone Star KCD; Jennifer Real, Richard Ward, Citizens Residents Oppose Wells (CROW), Philip Wagoner; (*Registered, but did not testify*: Jim Allison, County Judges and Commissioners Association of Texas and Victoria County Groundwater Conservation District; Paul Babb, Louis Carver, Flora Harrell, Shirley Hoagland, Lois Nelson, Connie Roebuck, Paula Sewall, CROW; Karen Darcy; Kathie Herrick; Martha Kate; Ken Kramer, Lonestar Chapter, Sierra Club; Carol Matzel; James McKinney; Carolyn O’Keefe; Falda Rimel; Glenn Roebuck; Martha Rohfritch; Richard Rohfritch; Charlotte Smith; Hershall Smith; Carol Stromatt; William Stromatt; Elinor Wagoner; Claude Hunter, The Woodlands Township, The Woodlands Association, The Woodlands Community Association, and The Woodlands Commercial Association; Bob Stout, The Woodlands Township)

Against — Matthew McEneny, Louis Ross, Texcom Gulf Disposal, LLC; Gerhardt Schulle, Environmental Processing Systems

On — (*Registered, but did not testify*: Jackie Hardee, Texas Commission on Environmental Quality)

**DIGEST:** HB 1890 would require that the executive director of the Texas Commission on Environmental Quality (TCEQ) submit a copy of an application for an injection well permit to dispose of industrial and municipal waste to the groundwater conservation district (GCD) board if the proposed injection well was located in the GCD’s territory. The GCD could make recommendations about the application to TCEQ within 30 days.

If the proposed injection well were within the territory of the GCD and there was a hearing in a contested case for an injection well permit, the record of the proceeding would have to include evidence that the GCD board was provided a copy of the draft permit proposed to TCEQ and was mailed notice of the contested case hearing.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2009, and would apply only to an application for a permit for a proposed injection well within a GCD's territory received by TCEQ on or after the effective date.

**SUPPORTERS  
SAY:**

HB 1890 would ensure that, through the local groundwater conservation district, the public was sufficiently aware that a potential injection well could be placed in their area. Because there is a risk that material in an injection well, if not properly contained, could negatively impact the water quality of groundwater, this is a prudent and reasonable step that would not unduly burden industry.

**OPPONENTS  
SAY:**

HB 1890 is an unnecessary step because general permits for Class I injection wells, which are used for deep injections, already require notice in statewide or regional newspapers and in the *Texas Register*.