

7.0 Regulatory and Follow-up Action

A requirement of our project required notification of the appropriate state regulatory agencies immediately upon finding any unpermitted discharges. Because of the large number of apparent unpermitted discharges we waited until all segments were surveyed before notification was provided. Along with submittal of the draft report on August 20, 1991 we conveyed a listing and description of all unpermitted sites (approximately 126) to the Texas Railroad Commission and the Texas Water Commission for follow-up investigation.

By January 14, 1991 we received notification from the Railroad Commission that their investigation of all sites appearing to be related to oil and gas activities under their jurisdiction was complete. The Railroad Commission investigated 17 sites and found 12 to be within their jurisdiction. Of these, seven were permitted facilities and five did not require a permit under RRC rules. The changes of the status of these sites (permitted vs unpermitted) were noted in the revision to the data base included in the Appendices to this report. Fifty-two man hours and 1300 highway miles driven were required for this enforcement action, and one site (inaccessible by land) remains to be inspected.

As of this revision of the draft report to final report (March 11, 1991) we had received no information from the Texas Water Commission regarding the status of the 100+ unpermitted discharge sites under their regulatory jurisdiction, and for which we had provided notification 7 months prior to this writing. Without information to the contrary from the Water Commission, the status of those unpermitted discharges remains at this time unchanged in the data base submitted with this report.