

June 8, 2026
Texas Commission on Environmental Quality
12100 Park 35 Circle
Austin, TX 78753

Re: Rule Project Number **2026-006-309-OW**

Dear Shannon Gibson,

We recently became aware of this rulemaking for RPN 2026-006-309-OW, land application of produced water, and look forward to the opportunity to provide additional public comment. We do however have concerns about the proposed rule and its ability to protect public health and urge the commission to proceed with more meaningful public engagement opportunities, given the broad changes this rule will trigger over the jurisdiction and application of produced water. Considering that millions of barrels of produced water could be applied to land daily, it is essential that regulations be thorough and stringent. Because this rule will apply to technologies unproven at scale for removing unknown chemicals with unknown environmental exposure risks, we respectfully request:

- A 30-day extension to the public comment period.
- Additional hearings in areas impacted by produced water, for example the Eagle Ford shale region and the Permian Basin region.
- Virtual components for additional hearings.

Thank you for your consideration.

Sincerely,

Hanna Mitchell
Texas Policy Advocate
Earthworks