

JOHN BRYMER

Chairman and members of the committee,

Thank you for the opportunity to speak today regarding the testing requirements associated with renewing our freshwater land application permit.

My company, Brymer Contracting, purchased its original Carrizo Aquifer wells in 1989 and has been operating wells in the Carrizo formation for more than three decades. During that time, the regulatory framework governing these wells has changed significantly.

These wells were drilled by Exxon in 1950, they ran the produced water down the creek from 1950-1989, until we purchased them. We continued to operate the produced water the same way. During our entire operations, we have never been out of compliance with the regulations.

When we first began operations, water quality testing was required every five years, and the water was permitted for discharge into local creek systems, which help fill ranch tanks and ponds downstream and even created some marshes. Later, regulatory oversight changed, with Region 6 shutting down all surface discharges, and additional agencies became involved in the permitting process. Carol Keeton Rylander had a meeting with Region 6 and the EPA out of Dallas and talked them into backing down on freshwater discharges. She was RRC Commissioner from 1995-1998. Everything to the east of the 98<sup>th</sup> Meridian were allowed to continue freshwater discharge without excessive permitting due to the severely dry areas. RRC took over after EPA and made changes that allowed us to monitor quarterly. Throughout these transitions, we have worked cooperatively with regulators and complied with all applicable requirements.

The water in question originates from the Carrizo Aquifer, which serves as a major freshwater source for farms, ranches, municipalities, communities, golf courses, and water parks throughout South Texas. It spans over 66 counties and approximately covers 36,700 sq miles, roughly 23.5 million acres. A typical commercial SOD/Turfgrass farm in Atascosa County can draw between 4000 to 5000 gallons per acre daily from the Carrizo Aquifer. In our area, the Carrizo formation is located approximately 1,800 feet below the surface and is approximately 744 feet thick. The water produced from our wells is the same freshwater resource relied upon throughout the region.

We take considerable care to ensure water quality. The water is processed through multiple gun barrels to remove any residual oil and sediment, resulting in clean, clear freshwater. Testing has consistently shown that the water contains no significant salt content, no chemical contamination, and no elevated nitrogen levels. The average salinity levels (TDS) in Atascosa County range between 1000mg/L and 3000mg/L.

For the past six years, we have operated under the guidance of the Railroad Commission of Texas (RRC) through our freshwater land application permit without any compliance issues. Our land application area consists of approximately 4.9 acres located within the center of my privately owned 200-acre ranch. The site uses an approved sprinkler irrigation system, contains no crops, and supports only native vegetation and cattle grazing. The

applied water remains on my property and does not discharge into any other water supply or neighboring property.

As responsibility for these permits transitions to the Texas Commission on Environmental Quality (TCEQ), we are being asked to complete substantially more testing and documentation than has previously been required. These new requirements include extensive analytical testing and the preparation of a cropping plan, despite the fact that no crops are grown on the site and the area consists solely of naturally occurring vegetation.

My concern is not with regulatory oversight itself. Rather, I am trying to understand why these additional requirements are necessary for a permit involving documented freshwater that contains no significant contaminants and has operated successfully for approximately 74 plus years without environmental issues.

I recognize and appreciate the state's efforts to encourage beneficial use of freshwater resources, particularly during periods of drought. However, I respectfully request clarification regarding the scientific and regulatory basis for the expanded testing and reporting requirements being applied to this type of freshwater land application permit.

I am simply asking for a clear explanation of why these additional requirements are necessary and how they directly relate to the protection of water quality and public resources in a situation where the water is freshwater, is applied on private property, and does not leave the permitted site.

I am hoping that TCEQ can work with us producers that have operated with a freshwater discharge permit to better understand what is actually necessary when it comes to compliance. I strongly believe that the current process doesn't align with the actual process of what we doing.