

Virginia Palacios, Commission Shift, Texas

Dear Railroad Commission Staff,

Commission Shift is a statewide nonprofit aiming to reform oil and gas oversight in Texas through public engagement and outreach. Since its founding in March 2021, Commission Shift has grown its public support. In this spirit, we are providing detailed comments on the Draft Oil and Gas Division Monitoring and Enforcement Plan for FY 2023. Commission Shift consulted with community members who have been impacted by oil and gas development and have had interactions with the RRC throughout complaint, investigation, and/or enforcement processes. Collective comments are presented following the sections of the report.

We are encouraged to see the RRC fulfilling its statutory charge to develop an annual plan for monitoring and enforcement of the oil and gas division. However, in these comments, we have included a number of requests for clarification, proposals for the RRC to consider including in the plan, and descriptions of issues community members have shared with us.

We reviewed this year's plan against changes we suggested last year, and we appreciate that the staff preparing the report made an effort to incorporate some of our recommendations into this year's draft. Some of the suggestions we made last year are reiterated in our comments this year, as we feel the importance of making these changes remains. This includes providing the plan in Spanish on the RRC's webpage where the Draft Monitoring and Enforcement Plan is posted and offering language accessibility for other languages.

Notably, we compared the content of the plan against the requirements of the 2017 Sunset Bill, HB 1818, and we feel that some of the requirements of HB 1818 have not been met. We hope that our comments provide helpful and informative insight toward accomplishing the goals of the plan and improving on the RRC's delivery of its mission.

I. MONITORING AND ENFORCEMENT OVERVIEW

I. a KEY REGULATORY COMPLIANCE MECHANISMS

- Please describe the methods the RRC uses to track principals of multiple companies, and to verify that non-compliant principals remain barred from renewal for seven years.

I. b INSPECTIONS

- We are pleased to see that the RRC has 12 additional inspectors compared to the previous year. Still, the number of staff conducting inspections is low compared to the number of wells the state is responsible for overseeing. RRC should consider developing a plan for increasing its capacity to conduct thorough and systematic inspections on each well once per year.

- P. 8: Change "one of ten Oil and Gas Division district offices" to "one of twelve Oil and Gas Division district offices." - Thank you for including the number of unique wells inspected in FY 2021. Please provide the number of unique wells and facilities inspected in FY 2020, to help understand whether there was actually a downward trend from FY 20 to FY 21 (347,617 in FY20 to 308,922 in FY21). If there

was a downward trend in inspections. Please explain what the different circumstances were that caused this downward trend.

- Please report the total number of inspections with additional information identifying the number of unique wells inspected, whether the wells were active, shut-in, inactive and unplugged, orphaned and unplugged, or plugged. For other facilities, provide the number of unique facilities inspected by type of facility (e.g. well, waste disposal facility, gathering), and whether the facility is currently in use or abandoned.

- Did the pandemic affect the number of inspections in FY 2021? Would there have been more inspections if the pandemic had not continued? - The legislative target of inspecting 345,000 wells is an improvement of the previous goal but given the number of wells inspected in FY20 and FY21, consideration should be made to increase the goal again to avoid downward trends as observed in FY21.

- Commission Shift proposes that the RRC set a goal to inspect each well or facility at least once every year and construct a plan for detailing what resources would be needed to achieve this goal, and potential forms of revenue to serve those resources.

-Please link to the PDF of "Standard Operating Guidelines: Job Priorities for Field Inspectors."

- Please provide a table listing the total number of wells in the state by category at the end of the Fiscal Year (active, shut-in, inactive and unplugged, orphaned and unplugged, or plugged).

- Please consider making the ICE database publicly accessible.

- Commission Shift recommends the RRC develop protocols for informing the community of violations, particularly those that present a potential threat to health or safety. Additionally, there should be an accessible process for collecting community input on a regular basis. Community members have reported only finding out about violations if they were the individual who filed a formal complaint, but that they have been in the dark when their neighbors file complaints about violations that may also affect their health.

- Information about recent investigations and complaints is not easily found in RRC databases. It seems as though staff are not updating the ICE database in real time.

- A case from 2021 involving Blackhorn Environmental waste disposal facility in Jim Wells County revealed that the facility had been accepting waste that did not meet the categories of waste allowed in its permit. We recommend the RRC develop a way to efficiently cross-check waste manifests against permits so that this type of non-compliance is detected sooner. Similarly, it is important for RRC to be in communication with TCEQ regarding violations that affect RRC permit compliance.

I. c AUDIT PRIVILEGE ACT

- Please explain what mechanisms are in place to ensure that operators are not abusing the Audit Privilege Act. For example, intentionally failing to plan for compliance and then using the audit privilege act retrospectively to avoid penalization.

I. d COMPLAINTS

-Provide a link to the Commission's website where information on how to file a complaint can be easily found.

- Affected community members have expressed to Commission Shift that they noticed they received faster service from RRC inspectors when they called the district office directly with a complaint. RRC should evaluate how calls to its main number are handled and develop systems that are more accessible to the public to ensure timely complaint resolution. There should be clear steps outlined once a complaint is made via phone over the main line.

- Community members have also expressed that they received more follow up and notifications when they made some complaints, but that they sometimes were not informed whether their complaints were considered formal or informal. There should be consistent communication from beginning to end of a complaint process.

- The RRC should develop a plan for improving its handling of complaints from a customer service perspective. The agency's handling of potential incidents and interactions with the public should reflect modern, state of the art customer service and hazard management based on the best practices and insights from a variety of industries.

- The Commission's webpage <<https://www.rrc.state.tx.us/oil-and-gas/o-g-complaints/>> regarding complaints related to the oil and gas division still needs improvement. First, the page does a better job of explaining what the Railroad Commission does not have jurisdiction over than what it does. Areas under the Railroad Commission's authority, including groundwater contamination, should be clearly described on the page without having to go to another link.

- The Oil and Gas Division should provide an online customer complaint form, as does the Gas Services Division <<https://rrc.texas.gov/gas-services/complaint-filing/customer-complaint/>>.

- Information on how to file a complaint should be provided in Spanish, and language accommodation information should be made available on the RRC website in multiple languages.

- The Railroad Commission should have access to a professional translation service that it can use to provide language accommodation. "Microsoft Translate" or other digital translation services are not an acceptable form of language accommodation as these services may not properly translate the meaning of technical terms often used by the Railroad Commission.

- The draft plan states that "the public is encouraged to report problems or concerns" but it is not visible how the RRC accomplishes the task of encouraging public reporting. District offices should develop robust programs for public outreach including regular presentations, regular columns in local newspapers, television advertisements, and mailers informing the public what the Railroad Commission is, what it has jurisdiction over, and how to make complaints.

- Table 1 should clarify that the number of complaints does not include those received for the pipeline division, TCEQ, or those related to railroads -if that is the case.

- Table 1 should indicate the number of complaints that indicated an imminent threat, were pollution related, or those not involving pollution.

- Please remove language from this draft plan stating that the RRC responds to complaints “immediately,” within “24 hours,” or “within 72 hours.” The RRC provides no public tracking of its response times and affected individuals have expressed that their complaints were not investigated within the stated time frames. For the same reason, please remove the sentences “The complainant receives written updates on the progress of the investigation and any related enforcement action. The complainant is also notified when the complaint is closed.”
- The RRC should consider making a complaint database publicly available on its website, similar to the TCEQ. This database should include a means for staff to indicate whether the complaint presented an imminent threat, was pollution related, or did not involve pollution. The database should include the cause of the complaint, any related activity in response to the complaint, and the resolution to the complaint.
- The database should also allow staff to indicate when they responded to complaints, so that the RRC can track whether it is adhering to stated “immediate,” “24 hour,” and “72 hour” response times. Individuals have expressed that their complaints were not investigated within the stated time frames, that they didn’t receive a progress report, or any notification of when the complaint was closed.
- RRC should explore developing a joint database with TCEQ to monitor violations at facilities that are regulated by both agencies, especially where RRC permits are contingent upon compliance with TCEQ rules.

I. e ENFORCEMENT ACTIVITIES

- The draft plan states “if a district office or program office is unsuccessful in obtaining compliance through other mechanisms, or if the severity or willfulness of a violation warrants further action, the oil and gas division will refer the matter to Legal Enforcement.” The plan should outline how many months it takes for a matter to be referred for Legal Enforcement.
- Please specify what percentage of violations are not resolved at the district level and thus, referred to Legal Enforcement.
- The draft plan should provide a table of the number of permits modified, suspended, or terminated in the past fiscal year.
- The draft plan should provide a link to a list of companies, naming their officers and owners who have had a P-5 revoked in the past seven years.
- The draft plan should describe the process the commission uses to verify that the companies, their officers, and owners are not granted a future P-5 request.
- The draft plan should describe how the RRC ensures that the operators do not continue to operate beyond the current P-5 year.
- In the RRC’s 2017 Sunset Review, the Sunset Commission’s Staff Report with Final Results noted “In fiscal year 2015, the commission severed 7,936 leases and caught at least 1,552 leases that continued to produce oil and gas.” This plan should include a description of methods the RRC is using to ensure compliance with seal and severance orders and improve upon prior years.

- Per the 2017 Sunset Review, a definition of a repeat violation in rule was supposed to be determined. Please specify whether an operator is considered to be in “repeat violation” for an offense that isn’t considered major.

- We recommend the RRC conduct an analysis of the cost of non-compliance compared to the \$10,000 cap on administrative penalties and report the results. This would be particularly meaningful for the rules that have high rates of violations and for major violations.

II. GOALS

- We are happy to see that the plan includes the amount appropriated by the legislature for the oil and gas monitoring and inspection strategy as well as for the well plugging & remediation strategy.

- Thank you for including a description of legislative charges for the RRC, including the Study on the Oil and Gas Regulation and Cleanup Fund Revenue Streams and the Strategic Plan on Flaring Data required in the appropriations bill.

II. a GOAL 1: ACCURATELY DEMONSTRATE THE COMMISSION’S OIL AND GAS MONITORING AND ENFORCEMENT ACTIVITIES

- Commission Shift supports Goal 1, and the associated action items. These improvements are long overdue, and we are happy to see the Railroad Commission modernizing its technology infrastructure and operationalizing implementing technological improvements.

II. a. 1 ACTION ITEM 1: IMPROVE DATA TRANSPARENCY

- We support the commission’s use of the Risk-Based Data Management System platform, and its transition to more online filings.

- We are concerned that the RRC’s Public GIS Viewer is not sufficiently searchable for locating specific facilities on the map. After the recent super-emitting methane leak on the “Big Cowboy” line in Webb County, we searched for the line on the RRC’s Public GIS Viewer. We changed visibility to pipelines only and used the “identify” button to view information about the pipelines displayed on the map. Hovering over every pipeline was an inefficient way to find the pipeline in question, and we were unsuccessful in locating it. Using the magnifying glass icon and selecting “pipelines” along with information available from the TCEQ report

<<https://www2.tceq.texas.gov/oce/eer/index.cfm?fuseaction=main.getDetails&target=376303>>, returned a list of relevant pipelines, but clicking items in the list does not take you to the location of those pipelines, nor does it provide an API number or address that can be used in the search bar on the upper right side of the screen. We submitted a request for assistance through Publicassist@rrc.texas.gov, but we were told to follow the visibility steps we had already taken or to find the inspection report in the PIPES system. We were unable to find any information on this incident in the PIPES system.

- We also recommend the RRC develop a plan for continuous evaluation and improvement of the user experience with the RRC website, data, and public participation processes. The current technology improvements are essential but upgrading these systems will be a continuous process and won’t end after one project is complete. Additionally, upgrading the internal technology systems is only one part of

accomplishing the goal. Improving the public's access and ease-of-use with the RRC's datasets requires an additional goal and workstream.

II. a. 2 ACTION ITEM 2: DEMONSTRATE AN INSPECTOR'S RESPONSIBILITIES

- We are happy to see that the RRC is improving transparency by providing public education that demonstrates inspectors' responsibilities. We would also like for the public to have access to the ICE database, and for the database to demonstrate each aspect of a facility that was reviewed by an inspector and how it was graded, so that the public can be sure that these inspections were not merely "drive-by" but followed consistent procedures and protocols and were designed to identify potential non-compliance. Last year, commenters identified that the average time spent on an inspection would have to be less than one hour per inspection based on the number of facilities inspected, the number of inspectors, working hours in a day, and drive time to sites.

II.a.3 ACTION ITEM 3: DISSEMINATE STUDY FINDINGS

- Please consider opening a public comment period to solicit feedback from the public on analysis of revenue streams to the Oil and Gas Regulation and Cleanup Fund and the strategic plan on flaring data.

II.b GOAL 2: STRATEGICALLY USE THE OIL AND GAS MONITORING AND ENFORCEMENT RESOURCES OF THE COMMISSION TO ENSURE PUBLIC SAFETY AND PROTECT THE ENVIRONMENT

- Commission Shift supports Goal 2, and we encourage the RRC to develop a plan to assess additional potential revenue sources for the agency to improve monitoring and enforcement. The

Railroad Commission and the state legislature have facilitated numerous fee and tax exemptions to operators, creating additional liabilities for the state as operators construct more facilities that do not lead to additional revenue to the Railroad Commission or the state but do lead to additional monitoring and enforcement responsibilities.

- Aside from interaction with the RRC's website and datasets, the RRC should outline its plan for improving outreach in communities with oil and gas development including how it will inform community members about comment opportunities, how to file complaints, and how to engage as a party in an RRC proceeding, and how to take advantage of the RRC's resources. Community members have expressed that they feel the current structure is tailored to industry and is nearly impossible for a member of the public to comprehend and engage in without the high cost of hiring an attorney.

II.b.1 ACTION ITEM 1: INSPECT WELL POPULATION

- We recommend the plan include an assessment of what the RRC would need to be able to inspect all wells at least once per year.

- The plan should include a breakdown of the schedule of wells including the number of wells in each category (active, shut-in, inactive and unplugged, orphaned and unplugged, or plugged).

- The RRC should consider evaluating what tools would be necessary to capture real-time production data from operators. Such data availability could have allowed for additional flexibility and efficient resource deployment during Winter Storm Uri power outages and would likely serve numerous interests including oil and gas operators, the Texas Comptroller, royalty owners, and the public. For instance, community members frequently point to incorrect production volumes associated with commingled

leases, and some have even pointed out actively producing oil wells with no information about them maintained in commission databases.

II.b.2 ACTION ITEM 2: ORPHANED WELL SITE PLUGGING REMEDIATION AND RESTORATION FEDERAL FUNDING

- Please describe how many offshore wells the commission plans to plug with the initial grant, and subsequent potential grants, if awarded.
- If federal funds are received, does the commission expect to use those funds in this biennium, or does it need to wait for legislative appropriations for the next biennium?
- Please describe the commission's plan for using federal funding to identify and locate undocumented oil and gas wells.
- Commission Shift reviewed locations of inactive wells (IWAR database) and orphaned wells and found hundreds of orphan wells and thousands of inactive wells with no latitude or longitude coordinates available. The RRC data on orphan and inactive wells does not include location information when it is first downloaded, so anyone who needs that information is required to do data joins with lists of every well that the RRC has record of (i.e., active, inactive, or orphaned) or manually search through well APIs for thousands of wells.

After this join or manual searching there is still a huge portion of wells that appear to have no location information. We searched through PDFs of archived forms that are associated with the lease numbers for different wells. Through this search we found zero documents that included any information on the latitude or longitude of these wells. Any location information found in these PDFs is almost entirely unhelpful, and deeply concerning. For instance, for a well in DeWitt County, API number 12331381, the only location information available on the 45 pages in the documents is "710 feet from NE line and 467 feet from SEL 10450 FNEL line of the 1800 FSEL lease" and "Charles Lockhart Survey. 5 miles West of Thomaston" which is of virtually no help if you are unable to view lease and survey locations by any means. Many wells only include location information referencing a distance and a cardinal direction from a nearby town. After going through approximately 380 orphan wells, with some wells having over 400 pages in their documents, we can conclude that there needs to be a better system for the RRC to identify and share the locations of orphaned and inactive wells.

This is important not only because of the possibility of interference with current oil and gas drilling, completions, and injection wells, but also because potential future development of carbon storage facilities and the need to ensure that these facilities do not intersect with or interfere with existing wellbores.

II.b.3 ACTION ITEM 3: STATE-MANAGED WELL PLUGGING PROGRAM

- The commission needs to develop a strategy for increasing the number of operator-plugged wells and preventing operators from orphaning their wells. Action Item 3 should not be a mere description of activities in the well plugging program, but should include a goal to improve operators' execution of their own plugging and cleanup responsibilities.
- As of March 31, 2022 there were 8,096 wells on the orphan wells list, and an additional 5,375 have a P-5 delinquent less than 12 months. An additional 132,928 wells are inactive or shut-in. Out of the active

wells list, 107,575 oil wells might be considered “marginal” producing less than 10 barrels per day, and 68,989 gas wells produce less than 250 thousand cubic feet per day. Despite the recent rise in oil prices, reports are showing that investment in new drilling has been slower than in previous years. The RRC needs to evaluate how that could impact the orphan wells list.

- The RRC states that it uses revenue and assessments that are deposited in the state’s Oil and Gas Regulation and Cleanup Account to plug orphaned wells, but according to the RRC’s legislative appropriations request, it also uses General Revenue Funds to plug and cleanup orphaned wells and sites. Please clarify the funding sources and the percentage of the agency’s budget that goes toward well plugging and site cleanup.

- Please re-evaluate how many wells the commission anticipates plugging. Although the commission’s legislative performance goal for FY 2023 is only to plug 1,000 wells, the commission typically exceeds its legislative performance goal for plugging. In the 2020 - 2021 Biennium, the RRC was appropriated \$152,645,793 with a goal of plugging 2,800 wells and cleaning up 460 sites; expecting an average cost of \$46,823.86 per site. The commission exceeded its well plugging and remediation goals in the 2020 - 2021 biennium. For the 2022 - 2023 biennium, the RRC was appropriated \$112,103,400, and has a legislative performance goal of plugging 2,000 wells and cleaning up 400 sites, at a similar cost ratio. Does the commission anticipate exceeding its goals again or focusing resources on more expensive wells and sites?

III. EDUCATIONAL OPPORTUNITIES

- The educational opportunities the RRC lists are entirely directed toward the industry. Please develop an educational outreach program directed toward landowners, mineral owners, and people living in communities with oil and gas development.

- Please develop a plan for providing Spanish language information about comment periods and translations of relevant documents on the commission’s website.

- Please consider making language accommodation in multiple languages available to landowners, mineral owners, and people living in communities with oil and gas development.

IV. STAKEHOLDER PARTICIPATION PROCESS

- The RRC could reach more stakeholders by submitting a press release to major daily newspapers in Texas, as well as local newspapers within each of the RRC districts.

- Additional effort should be made to grow the Commission’s email list to include people living near oil and gas development.

- Public hearings should be held virtually and in-districts to allow for dialogue with the RRC.

- Language accommodation should be offered. At a minimum, a Spanish language announcement on the RRC’s website and a Spanish translation of the enforcement page. The draft should also be provided in Spanish, using the services of a professional translator.

V. DATA

- Rather than simply reporting data from the past two years, it would be helpful to see an analysis from the RRC assessing trends in compliance over time, and identifying areas where improvement is needed. For example, several rules were violated thousands of times in the past year; some rules hundreds of times. An assessment of what the RRC could do to improve compliance in these areas would make a great addition to this plan.

V.a TABLE 2: SUMMARY OF ENFORCEMENT DATA FOR FISCAL YEAR 2021

- Thank you for indicating the number of unique wells inspected.
- Please create an additional table indicating the number of wells inspected by status (e.g. active, shut-in, inactive and unplugged, orphaned and unplugged, or plugged).
- For the number of statewide rule violations, please include a separate line item with the number of violations that are resolved on site during inspection.
- The commission's assessment of the number of major violations is too subjective, and requires additional reporting. For instance, out of the rules listed in Appendix B, there are 16,018 violations reported in Table 3, but the RRC only considered 24 of these violations to be "major" in FY 2021.
- The plan should include an analysis of the number of penalties that are lower than the cost of compliance, and an assessment of the number of violations occurring in these cases.

V.b TABLE 3: FISCAL YEAR 2021 NUMBER OF VIOLATIONS PER RULE BY SUBSECTION

- Thank you for including some rules in the table even if there were zero violations in the past year. However, the following rules in the major violations list in Appendix B were not listed in Table 3: 16 Texas Administrative Code § 3.13(a)(6)(B)(i) and § 3.91(e)(3). Please include these rules in Table 3, even if there were no violations.
- Thank you for including a column with the violated rule description.
- Please add an indication to the table, such as an asterisk to indicate which rules could fall under the definition of a major violation.
- Over 2,200 violations were reported under 16 TAC § 3.13(b)(1)(B)(i) in FY 2019 (See FY2020 Plan), but there were not any violations of this rule in 2020 and only 5 in 2021. Please explain what the RRC did differently to ensure better compliance.
- In the final draft of the plan, RRC removed a link to the Secretary of State's website where the public can view RRC rules.

V. c DEFINITION OF A REPEAT MAJOR VIOLATION

- The definition of a repeat major violation appears to be overly narrow and vague. It would be helpful to know if repeat violations by lease occurred in the past ten years, but also which operators have repeated the same violation across more than one lease and across multiple years. These data points could provide insight to the commission on the effectiveness of its current monitoring and enforcement activities, allowing it to adjust its procedures to better deter violations.

VI APPENDIX A: STANDARD OPERATING GUIDELINES: INSPECTION PRIORITIES

Public Comment Received as of April 29, 2022

- Please clarify what is meant by “The only jobs that require 100 percent inspection response are incidents listed under “Known Compliance Issues” and jurisdictional complaints.”

This is concerning, because it leaves the public wondering if the RRC is counting some of its less thorough inspections under the metric of inspecting each well once every 5 years. Commission Shift proposes that the RRC set a goal and establish a plan for conducting a systematic, thorough inspection on each well and facility at least once per year.

VII APPENDIX D: COMPLAINT PROCEDURES

VII. a SUBSEQUENT ACTION

- Please explain how the complainants are informed about whether their complaint is considered “formal” or not, and whether they will be able to inquire about the status of their complaint in the future or receive follow-up contact about the complaint.

- Please define the number of hours that qualifies as “immediate.”

- Please describe the RRC’s protocol for responding to incidents that are reported outside of business hours.

- Please explain or provide a link to the Emergency Incident Report protocol.

VII. b CLOSURE OF COMPLAINTS REFERRED TO STATE-MANAGED PLUGGING

- Please provide a link to the “Procedure in State-Managed Plugging Manual for SMP vs. Show Cause Hearing Decision Tree.”

- Please clarify whether complainants are informed when a complaint is closed.

APPENDIX E: RRC ONLINE INSPECTION LOOKUP (OIL)

- Thank you for developing this new tool. Please make the complaint information more accessible.

- To improve the user experience of the OIL database, please make it easier to navigate back to a search list after viewing one inspection. Currently, the user has to return to the query page and re-enter the query to be able to access the list provided after viewing a specific inspection.

APPENDIX F: WELL PLUGGING PRIORITIZATION METHODOLOGY

Please provide definitions for “leaking well” described in Priority 1, and “Higher Risk well” described in priority 2H.

RUBRIC

HB 1818 requires the RRC to produce the annual Monitoring and Enforcement Plan. While the commission has met some of the requirements of HB 1818, it has not met all requirements, and improvements are needed in order to comply with HB 1818.

The plan must contain the following elements:

- “The commission shall seek input from stakeholders when developing each annual plan.”

ASSESSMENT: NEEDS IMPROVEMENT. Could be improved by hosting public meetings, sharing information with the press about the plan, and doing targeted outreach in zones with heavy oil and gas development. The commission has only made the plan available in English, and has not made language accessibility clearly available.

- “Each annual plan must include a report of the information collected by the commission that shows the commission's oil and gas monitoring and enforcement activities over time...data regarding violations of statutes or commission rules that relate to oil and gas, including: the number, type, and severity of: violations the commission found to have occurred; violations the commission referred for enforcement to the section of the commission responsible for enforcement; and violations for which the commission imposed a penalty or took other enforcement action;”

ASSESSMENT: INCOMPLETE. While the commission has provided the number of violations by type (rule), it has not provided any information on the severity of these violations. The commission listed the number of alleged oil and gas violations sent to the Office of General Counsel Legal Enforcement, but did not list the number of these violations by type or severity. It is unclear whether other sections of the commission are responsible for enforcement. Similarly, the number of violations for which the commission imposed a penalty or took other enforcement action is only listed as a total and not by type or severity.

- “the number of major violations for which the commission imposed a penalty or took other enforcement action;” ASSESSMENT: INCOMPLETE. The total numbers provided may be incorrect, because the RRC’s decision about which violations are considered “major” is subjective.

- “the number of repeat major violations, categorized by individual oil or gas lease, if applicable.” ASSESSMENT: The commission claims that there were no repeat major violations, so this information was not provided.

- “The commission shall publish each annual plan on the commission's Internet website not later than July 1 of the year preceding the state fiscal year in which the commission implements the plan.”

ASSESSMENT: So far, the commission is on track to submit the plan by July 1st. We appreciate that the commission released the plan earlier this year, allowing for more time to incorporate suggested changes into the final draft.