

**RAILROAD COMMISSION OF TEXAS
OFFICE OF GENERAL COUNSEL**

OIL & GAS DOCKET NO. 03-0266270

COMMISSION CALLED HEARING ON THE COMPLAINT OF DENBURY ONSHORE, LLC REGARDING THE NO-HARM LETTER ISSUED ADMINISTRATIVELY TO TEXCOM GULF DISPOSAL LLC BY THE COMMISSION'S ENVIRONMENTAL SERVICES SECTION ON SEPTEMBER 16, 2005 REGARDING CLASS I NONHAZARDOUS WASTE DISPOSAL WELL NOS. 1, 2, 3 AND 4 AT THE TEXCOM GULF DISPOSAL FACILITY IN MONTGOMERY COUNTY, TEXAS

ORDER GRANTING MOTION FOR REHEARING

The Commission has considered on its merits the Motion for Rehearing filed by TexCom Gulf Disposal LLC, on February 2, 2011, and the Motion is granted for the limited purposes of amending certain findings of fact in the Final Order served January 14, 2011, 2008, as set forth herein.

It is accordingly **ORDERED** that Findings of Fact Nos. 2b, 4, and 5 adopted in the Final Order served January 14, 2011, are amended as set forth below, and, as amended, are adopted. Except to the extent amended herein, findings of fact and conclusions of law adopted in the Final Order served February 14, 2011, are affirmed.

AMENDED FINDING OF FACT NO. 2b

- 2b. The unitized interval for the CFU is from 4,680 feet to 5,420 feet, as shown on the log of the D. A. Madeley No. 45. The unitized interval is directly beneath the Jackson Shale and includes numerous Cockfield and main Conroe sands.

AMENDED FINDING OF FACT NO. 4

4. In 2002, a permit for injection of Class I non-hazardous waste was issued to Huntsman Petrochemical Corporation for a disposal facility located to the north and east of the TexCom property. In conjunction with the Huntsman application, the Railroad Commission issued a "no harm" letter to Huntsman in 2001.

AMENDED FINDING OF FACT NO. 5

5. In 2005, TexCom Gulf Disposal, LLC ("TexCom") filed an application with the TCEQ for authority to inject Class I non-hazardous waste into four wells at the same facility as the Crossroads' application in Montgomery County. In conjunction with the TexCom application, the Railroad Commission issued a "no harm" letter on September 16, 2005 to TexCom.

It is further **ORDERED** that except to the extent granted herein, the Motion for Rehearing is **DENIED**.

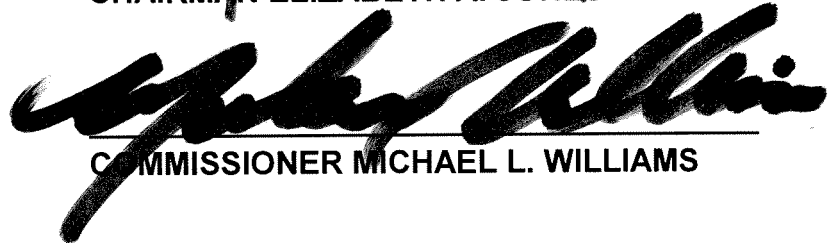
This order will not be final and effective until 20 days after a party is notified of the Commission's order. A party is presumed to have been notified of the Commission's order three days after the date on which the notice is actually mailed. If a timely motion for rehearing is filed by any party at interest, this order shall not become final and effective until such motion is overruled, or if such motion is granted, this order shall be subject to further action by the Commission. Pursuant to TEX. GOV'T CODE §2001.146(e), the time allotted for Commission action on a motion for rehearing in this case prior to its being overruled by operation of law, is hereby extended until 90 days from the date the parties are notified of the order.

Done this 8th day of March, 2011, in Austin, Texas.

RAILROAD COMMISSION OF TEXAS



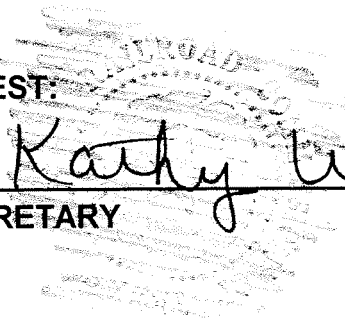
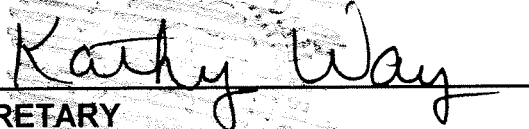
CHAIRMAN ELIZABETH A. JONES



COMMISSIONER MICHAEL L. WILLIAMS

COMMISSIONER DAVID PORTER

ATTEST:

SECRETARY