

Kansas Administrative Regulations

Department of Health and Environment

Article 45.—Underground Hydrocarbon Storage Wells and Associated Brine Ponds

28-45-4a. Well conversions and reentry.

(a) No person shall reenter a well that is a plugged well for the purpose of reactivating activities associated with the storage of product, unless authorized by the secretary in writing.

(b) Any permittee may convert any permitted well to a storage well if all the following conditions are met:

(1) The permittee submits a completed permit application as required by K.A.R. 28-45-5a and K.A.R. 28-45-6a.

(2) The permitted well meets the construction, monitoring, and testing requirements specified in this article of the department's regulations.

(3) The conversion is authorized by the secretary in writing.

(c) Any permittee may request the conversion of a solution mining well to an active well or the conversion of a storage well in monitoring status to an active well, if the permittee meets the following requirements:

(1) Submits a written plan to the department for the secretary's review and consideration for approval, at least 30 days before conversion;

(2) meets the requirements specified in the department's document titled "conversion of a storage well," dated June 24, 2021, which is hereby adopted by reference; and

(3) meets the monitoring and testing requirements for an active well specified in this article of the department's regulations.

(d) Any permittee may request the conversion of a storage well that is not plugged to monitoring status, permanent monitoring status, or to a status not specified in this article of the department's regulations if the permittee meets the following requirements:

(1) Submits a written plan to the department for the secretary's review and consideration for approval, at least 30 days before conversion; and

(2) meets the requirements specified in the department's document titled "conversion of a storage well," which is adopted by reference in paragraph (c)(2).

(e) Any permittee may request the conversion of a storage well that is not plugged to a class V injection well if the permittee submits a class V injection well permit application to the secretary on a form provided by the department, at least six months before the conversion.

(Authorized by and implementing K.S.A. 2022 Supp. 55-1,117; effective, T-28-4-1-03, April 1, 2003; effective Aug. 8, 2003; amended Aug. 9, 2024.)

***** Authenticated Kansas Administrative Regulation *****