

Kansas Administrative Regulations

Kansas Corporation Commission

Article 3.—Production and Conservation of Oil and Gas

82-3-1004. Notice of application for a permit to operate an underground porosity gas storage facility constructed after July 1, 2002.

(a) Notice to adjacent property owners. Each applicant for an underground porosity gas storage facility operating permit for a facility constructed after July 1, 2002 shall give notice on or before the date the application is filed with the conservation division by mailing or delivering a copy of the application to the following:

- (1) Each operator or lessee of record within one-half mile of the boundary of the storage facility;
- (2) each owner of record of the minerals in unleased acreage within one-half mile of the boundary of the storage facility; and
- (3) the landowner on whose land the well or wells affected by the application is located.

(b) Notice by publication. The applicant shall publish notice of the application in at least two issues of the official county newspaper of each county in which the lands affected by the application are located. In addition, notice of the application shall also be published in at least one issue of the Wichita Eagle newspaper. The applicant shall also deliver or publish any notice that the applicant deems necessary to insure that those persons whose rights may be affected by the application have been sufficiently notified in accordance with applicable due process requirements.

(c) Protest; notice of hearing.

(1) The application shall be held in abeyance for 15 days from the date of last publication or delivery of notice, whichever is later. If during that 15-day period a valid protest is filed according to K.A.R. 82-3-135b or if the commission on its own motion deems that there should be a hearing on the application, a hearing shall be held.

(2) The applicant shall publish notice of the hearing in the same manner as that required by subsection (b).

This regulation shall be effective on and after October 29, 2002.

(Authorized by and implementing K.S.A. 55-152, K.S.A. 2001 Supp. 55-1,115 and 74-623; effective, T-82-6-27-02, July 1, 2002; effective Oct. 29, 2002.)

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