

Kansas Administrative Regulations

Kansas Corporation Commission

Article 3.—Production and Conservation of Oil and Gas

82-3-314. Venting or flaring of gas other than casinghead gas.

(a) Coalbed natural gas.

(1) Without a hearing, the venting or flaring of coalbed natural gas may be permitted by the commission if the requirements specified in this subsection are met. The operator shall file an affidavit with the conservation division. The affidavit shall be submitted on a form supplied by the commission and shall meet the following requirements:

(A) Identify the geographic area included in the proposed pilot project;

(B) state that there are no gathering or pipeline facilities available;

(C) state that venting or flaring of gas is necessary to dewater wells while they are being tested to determine the economic feasibility of installing gathering or other facilities to make the gas marketable and to determine the required capacity of the facilities;

(D) state the maximum daily volume of gas anticipated to be vented or flared; and

(E) state that the applicant will comply with the department's applicable air quality regulations.

(2) Venting or flaring for any reason shall not exceed 180 days without reapplication with the commission. Without a hearing, one extension not to exceed 180 days may be granted by the commission.

(3) The operator shall publish notice of the affidavit and any request for an extension of the venting or flaring period, pursuant to K.A.R. 82-3-135. In addition, the operator shall give notice to the local emergency planning commission (LEPC). If any part of the proposed project area falls within the corporate limits of any city, the operator shall give notice to the city clerk. The operator shall file with the conservation division a certificate of mailing indicating the date on which service of a copy of the affidavit was made to the LEPC or city clerk.

(b) Natural gas.

(1) Without a hearing, the venting or flaring of natural gas, other than sour gas, may be permitted by the commission if necessary for any of the following purposes:

(A) Dewatering or well cleanup;

(B) well testing;

(C) well cleanup after stimulation or workover;

(D) evaluation and testing before connecting to a pipeline;

(E) emergencies; or

(F) those purposes and conditions specified under K.S.A. 55-102(a), and amendments thereto.

(2) If a well is to be vented or flared for more than seven days, either pursuant to K.S.A. 55-102(a) and amendments thereto or for any other reason, the operator shall notify the appropriate district office and shall file an affidavit with the conservation division, on a form supplied by the commission. The affidavit shall state that the extended period of time to vent the well is necessary for at least one of the following:

(A) The efficient operation of the well;

(B) evaluation and determination of whether the quality of gas meets pipeline specifications; or

(C) evaluation and determination of whether the well is capable of producing in economic quantities.

(c) Gas measurement; continuing jurisdiction. The volume of gas vented or flared under this regulation shall be metered, measured, or monitored, and the charts or records shall be retained for two years. This information shall be reported to the commission semiannually or as designated by the commission. The continuing jurisdiction with authority to terminate the venting or flaring of gas when necessary shall lie with the commission.

(d) Protection of persons and property. All gas vented or flared under this regulation shall be done in a manner designed to prevent damage to property and injury to persons who are reasonably expected to be in the vicinity for work, pleasure, or business.

(e) The venting or flaring of natural gas under conditions not addressed in this regulation may be authorized if the operator files an application and the commission approves the application before the start of the venting or flaring activity.

(Authorized by K.S.A. 55-152; implementing K.S.A. 2003 Supp. 55-102; effective Jan. 14, 2005.)

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