

Kansas Administrative Regulations

Kansas Corporation Commission

Article 3.—Production and Conservation of Oil and Gas

82-3-600. Pit permits; penalty; application and approval.

(a) Pits shall not be used to contain fluids resulting from oil and gas activities until approved by the commission. Pits shall be permitted only upon application to and approval by the commission. Use of a pit without a pit permit shall be punishable by a \$500 penalty. Pit permits shall be considered granted unless denied within 10 days after the commission's receipt of the application.

The following types of pits may be authorized by the commission:

- (1) Drilling pit, which shall include reserve pits and working pits;
- (2) work-over pit;
- (3) emergency pit;
- (4) settling pit;
- (5) burn pit; and
- (6) haul-off pit.

(b) Each application shall be verified and filed with the conservation division upon the form prescribed by the commission.

(c) In reviewing applications for pit permit approval, the protection of soil and water resources from pollution shall be considered by the commission. The chloride concentration of drilling fluids and produced waters to be contained in pits and the geohydrologic characteristics of the pit location shall be considered in determining the pollution risk that a particular pit poses to water resources.

(d) Work-over pits may be permitted through verbal authorization from the appropriate district office supervisor or a designated staff member, subject to the filing of a pit application within five days after the verbal authorization.

(1) Requests for verbal authorization shall be made no less than 24 hours before the intended work-over operation. However, if emergency circumstances require immediate

work-over operations, requests for verbal authorization may be made less than 24 hours before the intended operation.

(2) The operator requesting verbal authorization shall provide the information required on the application form to the appropriate district office at the time of the request.

(e) Each operator shall notify the appropriate district office, as specified in K.A.R. 82-3-603, that a temporary containment pit was constructed. A permit shall not be required for a containment pit constructed and used in accordance with this subsection.

(f) Each operator of a pit shall perform the following:

(1) Install observation trenches, holes, or wells if required by the commission;

(2) seal any pit, except burn pits, with liners as specified in K.A.R. 82-3-601a(b)(1) through (6) if the commission determines that an unsealed condition will present a pollution threat to soil or water resources; and

(3) prevent surface drainage from entering the pit.

(g) A pit permit shall not be required for the construction of a dike at an oil and gas facility.

(Authorized by K.S.A. 55-152, K.S.A. 2000 Supp. 55-164, as amended by L. 2001, ch. 5, sec. 191; implementing K.S.A. 55-152, K.S.A. 2000 Supp. 55-164, as amended by L. 2001, ch. 5, sec. 191, K.S.A. 55-171, K.S.A. 2000 Supp. 74-623, as amended by L. 2001, ch. 191, sec. 16; effective, T-87-46, Dec. 19, 1986; effective May 1, 1987; amended July 29, 1991; amended April 23, 2004.)

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