

Kansas Administrative Regulations

Kansas Corporation Commission

Article 3.—Production and Conservation of Oil and Gas

82-3-601a. Pit construction; sensitive groundwater areas; reporting.

(a) Freeboard. All drilling, work-over, burn, and containment pits shall be constructed with a minimum of 12 inches of freeboard. All emergency and settling pits shall be constructed with a minimum of 30 inches of freeboard.

(b) Pit construction. If required by the conservation division to be sealed, pits shall be constructed so that the bottoms and sides have a hydraulic conductivity no greater than 1×10^{-7} cm/sec. during their use. The hydraulic conductivity shall be established by liners, which shall include any of the following:

- (1) A natural clay liner;
- (2) a soil-mixture liner composed of soil mixed with cement, bentonite, clay-type, or other additives to be applied to pits whose walls do not exceed a slope of three to one;
- (3) a recompacted clay liner composed of in situ or imported clay soils that are compacted or restructured to be applied to pits whose walls do not exceed a slope of three to one;
- (4) a manufactured liner composed of synthetic material to be applied to pits in a manner that ensures its integrity while the pit is open;
- (5) a combination of two or more types of liners described in paragraphs (b)(1) through (4); or
- (6) any other liner or groundwater protection system acceptable to the conservation division.

(c) Emergency pit construction. In sensitive groundwater areas as designated in table III as adopted by reference in K.A.R. 82-3-601b, emergency pits shall be sealed. Emergency pits located in sensitive groundwater areas shall be constructed and sealed as set out in paragraphs (b)(1) through (6).

(d) Construction depth. No pit shall be constructed to a depth greater than five feet above the shallowest existing water table in the vicinity of the well.

(e) Reporting.

(1) The hydraulic conductivity of natural liners shall be determined by one of the soil tests approved by the American society of testing and materials and contained in either of the following ASTM publications, both of which are hereby adopted by reference:

(A) "Standard test methods for measurement of hydraulic conductivity of saturated porous materials using a flexible wall permeameter," published January 2001; and

(B) "standard guide for comparison of field methods for determining hydraulic conductivity in the vadose zone," published December 1990 and reapproved in 1998.

Alternately, the hydraulic conductivity of natural liners shall be determined by using another field or laboratory test approved by the commission and conducted by either the operator or the operator's contractor.

(2)(A) Test results for pits required to be sealed according to subsection (b) shall be reported to the appropriate district office at the time of spud notification.

(B) Written documentation of test results shall be filed with the conservation division on a form prescribed by the commission within five days after spudding the well.

(C) Test results for work-over and emergency pits shall be reported to the conservation division when the pit application is filed.

(D) The right to verify test results through onsite investigation may be exercised by the conservation division.

(Authorized by K.S.A. 55-152; implementing K.S.A. 55-152, K.S.A. 55-171, K.S.A. 2000 Supp. 74-623; effective July 29, 1991; amended April 23, 2004.)

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