

Kansas Administrative Regulations

Kansas Department for Children and Families

Article 27.—Oil and Gas Leases on Institutional Properties

30-27-5. Wells: operation and management.

Oil and gas lessees shall notify the secretary thirty (30) days prior to the commencement of each well drilling operation. All wells shall be spaced, located, operated, and maintained in accordance with all applicable state laws and regulations and shall be spaced, located, operated, and maintained at least 500 feet from any building on any state institution. The secretary may require the lessee of oil and gas rights to erect chain link fences of at least eight feet in height along their entire perimeter to fully enclose or encircle any drilling rig, pump, pipe, pool, pit, pile, housing or any other oil or gas drilling or production device or structure situated within 1,320 feet from any building, structure, or area normally used by institutional patients under the supervision or custody of any state institution or the secretary. The secretary may further prescribe reasonable procedures or safety devices to be followed or provided by the oil and gas lessees for the protection of residents, patients, or staff members of institutions from attractive nuisances or items inherently dangerous. The secretary shall notify the lessee of the need for correction of any dangerous devices or structures or the restoration of any land made dangerous by fill, excavation, or contamination from any operations of the lessee. The secretary may order the removal of any dangerous devices or structures or the restoration of any land made dangerous by fill, excavation, or contamination to its former state if the lessee fails to take any action within ninety (90) days after notification by the secretary to correct the dangerous device or structure or to restore land rendered dangerous to its former safe condition or if the lessee notifies the secretary that the lessee is unable to correct the dangerous devices, structures, or contaminations. The ordered removal or restoration operations shall, if possible, be performed by the lessee and the expenses of such operations shall be paid by the lessee. The costs of any above operations of removal or corrections that the secretary may be required to have performed due to refusal or inability of the lessee

and the expenses of any uncorrected dangers or contaminations to land or property under the control of the secretary may be charged against the indemnity bond, if any, filed by the lessee.

(Authorized by K.S.A. 76-112 and 76-112d; effective, E-74-26, May 1, 1974; effective May 1, 1975.)

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