

Kansas Administrative Regulations

Kansas Corporation Commission

Article 3.—Production and Conservation of Oil and Gas

82-3-311. Drilling through gas storage formations.

(a) Any person, firm, or corporation who, for any purpose, drills or causes the drilling of a well or test hole that penetrates or bores through any underground stratum or formation utilized for the underground storage of natural gas shall seal off the natural gas storage stratum or formation by either of the following:

(1) The methods and materials recommended by the operator of the gas storage facility and approved by the commission or its duly authorized representative; or

(2) any methods and materials that the commission determines to be fair, equitable, and reasonable.

(b) That person, firm, or corporation shall maintain the well or test hole in a manner that protects the stratum or formation at all times against pollution and the escape of natural gas.

(c) Not less than 30 days before commencing or plugging a well or test hole as referred to in subsection (b), the person, firm, or corporation desiring to commence drilling or plugging operations shall give the operator of the gas storage facility and the commission notice in writing, by registered mail, of the date desired for commencement of drilling or plugging the well.

(d) Within 10 days after receipt of notice, the operator of the gas storage facility shall forward to the commission its recommendations as to the manner, methods, and materials to be used in the sealing off or plugging operation. The operator of the gas storage facility shall give notice of the recommendations by mailing or delivering a copy to the person, firm, or corporation who seeks to drill or plug a well or test hole. The notice shall be mailed or delivered on or before the date on which the recommendations are mailed to or filed with the commission.

(e) Any objections or complaints stating why the recommendations proposed by the operator of the gas storage facility are not feasible, practical, or reasonable shall be filed within five days after the recommendation is filed.

(f) If any objections or complaints are filed or if the commission deems that there should be a hearing on the recommendation of the operator of the gas storage facility, a hearing shall be held. Notice of the hearing shall be published according to K.A.R. 82-3-135.

(g) Following receipt of the recommendations proposed by the operator of the gas storage facility or the hearing, the manner, methods, and materials to be used in the sealing off or plugging operation shall be prescribed by the commission. Operations shall not commence until the manner, methods, and materials to be used have been prescribed by the commission.

(h) Any operator of the gas storage facility involved may have a representative present at all times during the drilling, completing, or plugging of the well or test hole and shall have access to all records relating to the drilling, equipping, maintenance, operation, or plugging of the well.

(i) Each operator of the gas storage facility involved, in conjunction with the commission or its representative and the operator of the well, shall have the right to inspect or test the well to discover any leaks or defects that may affect the underground natural gas storage stratum or formation.

(j) Each cost and expense necessarily incurred in sealing off the stratum or formation or in plugging, maintaining, inspecting, or testing the well, as recommended by the operator of the gas storage facility and subsequently approved or independently determined by the commission or its representative, that is over and above the ordinary expense of operations using similar methods, shall be paid upon completion by the operator of the gas storage facility involved.

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

(Authorized by K.S.A. 55-152, K.S.A. 2001 Supp. 55-1,115 and 55-604, K.S.A. 55-704, and K.S.A. 2001 Supp. 74-623; implementing K.S.A. 2001 Supp. 55-1,115, K.S.A. 55-605, 55-706, 55-1203, and K.S.A. 2001 Supp. 74-623; effective, T-83-44, Dec. 8, 1982; effective May 1, 1983; amended, T-85-51, Dec. 19, 1984; effective May 1, 1985;

amended May 1, 1988; amended May 8, 1989; amended April 23, 1990; amended, T-82-6-27-02, July 1, 2002; amended Oct. 29, 2002.)

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