

# **Kansas Administrative Regulations**

## **Department of Health and Environment**

### **Article 45.—Underground Hydrocarbon Storage Wells and Associated Brine Ponds**

#### **28-45-5a. Storage facility permit application; renewal.**

(a) Each person that wants to construct and operate a new storage facility shall submit a completed application for a permit to the secretary on a form provided by the department, at least six months before construction begins. Facility construction shall not begin until the secretary has issued the permit.

(b) Each permittee of an existing storage well or brine pond that is not authorized by a facility permit shall submit a facility permit application within one year of the effective date of this article of the department's regulations.

(c) Each application for a permit for a new storage facility shall include the following information:

- (1) Certification from a designated signatory, as specified in K.A.R. 28-45-9a;
- (2) siting requirements, as specified in K.A.R. 28-45-10a;
- (3) an operations and maintenance plan, as specified in K.A.R. 28-45-12;
- (4) an emergency response plan, as specified in K.A.R. 28-45-13;
- (5) an inventory balance plan, as specified in K.A.R. 28-45-15;
- (6) a subsidence monitoring plan, as specified in K.A.R. 28-45-16;
- (7) a groundwater monitoring and quality assurance plan, as specified in K.A.R. 28-45-18;
- (8) a report prepared by a professional geologist that provides an evaluation of the local and regional geology and hydrogeology;
- (9) a narrative interpretation by a professional geologist of at least one core collected either within a half-mile radius of the proposed storage facility or at another department-approved location; and

(10) a plan describing the coring interval, coring procedures, and core testing for review and consideration for approval, at least 60 days before the coring event. The following requirements shall apply:

(A) The core data shall be made available for review by the secretary upon request.

(B) The core shall be made available for inspection by the department upon request for at least two years.

(C) Each permittee shall notify the department, at least 30 days before core disposal.

(d) Upon the secretary's review of each application for a permit for a storage facility, the applicant shall receive one of the following:

(1) A facility permit, if the application is approved; or

(2) a notice that the application has been denied, if the applicant has not met the requirements of this article of the department's regulations.

(e) Each permittee that wants to continue any activity regulated by the facility permit shall submit a permit renewal application to the secretary on a form provided by the department, at least six months before the permit expires. Each renewal of a facility permit shall be authorized for a period not to exceed 10 years.

(Authorized by and implementing K.S.A. 2022 Supp. 55-1,117; effective, T-28-4-1-03, April 1, 2003; effective Aug. 8, 2003; amended Aug. 9, 2024.)

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