

**HOUSE BILL No. 2786**

By Committee on Federal and State Affairs

3-19

1 AN ACT creating the injection well safety advisory task force.

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3 *Be it enacted by the Legislature of the State of Kansas:*

4 Section 1. (a) There is hereby established the injection well safety  
5 advisory task force. The task force shall be composed of 13 members as  
6 follows:

7 (1) One member of the house of representatives appointed by the  
8 speaker of the house of representatives;

9 (2) one member of the house of representatives appointed by the  
10 minority leader of the house of representatives;

11 (3) one member of the senate appointed by the president of the  
12 senate;

13 (4) one member of the senate appointed by the minority leader of the  
14 senate;

15 (5) the chairperson of the state corporation commission or the  
16 chairperson's designee;

17 (6) the director of the Kansas geological survey or the director's  
18 designee, to serve as the chairperson of the task force;

19 (7) one member appointed by the Kansas chapter of the sierra club;

20 (8) one member appointed by the Kansas independent oil and gas  
21 association;

22 (9) one member appointed by the Kansas petroleum council;

23 (10) one member appointed by the southwest Kansas royalty owners  
24 association;

25 (11) one member appointed by the eastern Kansas royalty owners  
26 association; and

27 (12) two members who are citizens of Kansas and not employed in  
28 the oil and gas industry, appointed by the chairperson of the task force.

29 (b) Members shall be appointed to the task force not later than 30  
30 days from the effective date of this section. The chairperson of the task  
31 force shall call the first meeting of the task force on or before August 1,  
32 2018. At such meeting, the members shall elect a vice-chairperson from  
33 the membership of the task force.

34 (c) The task force may meet in an open meeting at any time and at  
35 any place within the state on the call of the chairperson and shall meet at  
36 least three times. A quorum of the task force shall be seven members. All

1 actions of the task force shall be by motion adopted by a majority of those  
2 members present when there is a quorum. Any vacancy on the task force  
3 shall be filled by appointment in the manner prescribed in this section for  
4 the original appointment.

5 (d) The injection well safety advisory task force shall:

6 (1) Review the statutory and regulatory requirements relating to class  
7 II disposal wells and determine whether: (A) The state corporation  
8 commission has been operating in compliance with such statutory and  
9 regulatory requirements; (B) new statutory or regulatory requirements are  
10 needed to incorporate recent scientific evidence regarding injection-  
11 induced earthquakes and to protect the citizens and communities of  
12 Kansas; and (C) statutory or regulatory requirements need to be amended  
13 or supplemented to effectuate any findings made by the task force pursuant  
14 to this subsection. Such review shall include, but not be limited to,  
15 statutory sections and regulatory requirements relating to class II disposal  
16 well applications for injection authority, notice, protest deadlines and  
17 record retention;

18 (2) determine how the class II disposal well process can be  
19 modernized and made more transparent and accessible for the citizens and  
20 communities of Kansas, which shall include, but not be limited to, the  
21 following considerations: (A) Allowing for the electronic submission of  
22 protest letters; (B) reviewing the adequacy of the time period for the  
23 protest process; (C) requiring acceptance of a request to intervene if  
24 requested in a protest; (D) allowing for an open public hearing or comment  
25 period for protests; and (E) exploring the feasibility and scope of  
26 notifications to interested parties within 15 miles of proposed wells;

27 (3) make recommendations on whether the citizens and communities  
28 of Kansas would benefit from the creation of a state consumer protection  
29 body to represent citizens and communities before the state corporation  
30 commission for class II disposal well proceedings; and

31 (4) determine whether information relating to class II disposal wells  
32 is publicly available and accessible and make recommendations on  
33 whether transparency would be promoted through the creation of a public  
34 data repository website that provides: (A) The locations of proposed,  
35 operating and abandoned class II disposal wells; and (B) well data and  
36 records for each class II disposal well including, but not limited to, the  
37 well application, operator contact information, lease information, water  
38 quality testing information, injection pressures and volumes and any  
39 complaints or fines assessed against the well operator.

40 (e) The task force shall report its findings and recommendations to  
41 staff of the state corporation commission, the house committee on water  
42 and environment and the senate committee on utilities on or before  
43 January 31, 2019.

1 (f) The staff of the office of revisor of statutes, the legislative research  
2 department and the division of legislative administrative services shall  
3 provide assistance as may be requested by the injection well safety  
4 advisory task force.

5 (g) Legislative members of the injection well safety advisory task  
6 force attending meetings authorized by the task force shall be paid  
7 amounts provided in K.S.A. 75-3223(e), and amendments thereto. Non-  
8 legislative members of the task force may be reimbursed by their  
9 appointing authority.

10 (h) "Class II disposal well" means a well into which those fluids  
11 brought to the surface in connection with oil and natural gas production  
12 are injected, for purposes other than enhanced recovery.

13 (i) The provisions of this section shall expire on January 31, 2019.

14 Sec. 2. This act shall take effect and be in force from and after its  
15 publication in the statute book.