



KANSAS CORPORATION COMMISSION
Land-Spreading Procedures and Costs Report

2014

Land-Spreading Procedures & Costs Report

Senate Sub. for HB 2597 enacted provisions of law relating to the disposal of solid waste generated by drilling of oil and gas wells, through land-spreading.

Disposal of Solid Waste Generated by Drilling of Oil and Gas Wells through Land-spreading

Senate Sub. for HB 2597, enacted July 1, 2012, allows the Secretary of Health and Environment (Secretary) to authorize persons to carry out activities without a solid waste permit, which includes allowing the disposal through land-spreading of solid waste generated by drilling oil and gas wells. The land-spreading is to be done in accordance with best management practices and maximum loading rates developed by the Secretary. For areas that receive more than 25 inches of precipitation annually, solid waste disposed through land-spreading is required to be incorporated into the soil. Additionally, no land-spreading is to be allowed to occur on any area where the water table is less than ten feet below the surface, or on an area where there is documented groundwater contamination, as determined by the Kansas Department of Health and Environment (KDHE).

For each land-spreading location, an application is to be filed with KDHE and contain the location, soil characteristics, waste characteristics, waste volumes, drilling mud additives, and land-spreading method to be used on the land. A fee of \$250 will be assessed for each application. A land-spreading application will not be approved for the same location unless a minimum of three years has passed since the previous land-spreading occurred on that location. In addition, a post-land-spreading report is required once the land-spreading is complete.

The Secretary has entered into an agreement with the Kansas Corporation Commission (KCC) to administer the program, monitor compliance, and establish mechanisms for enforcement and remedial action. In addition, the Secretary, in coordination with the KCC, was required to adopt rules and regulations governing land-spreading. In the development of rules and regulations, the Secretary and the KCC sought advice of and comments from groundwater management districts and from other groups and persons knowledgeable and experienced in this subject matter. The KCC presented a report which included information on the costs associated with the regulation of land-spreading, to the Senate Committee on Natural Resources, the Senate Committee on Ways and Means, the House Committee on Agriculture and Natural Resources, and the House Committee on Appropriations. These provisions took effect upon publication in the *Kansas Register*, with the provisions expiring on July 1, 2015.

Update: The Secretary and KCC signed a memorandum of understanding dated July 16, 2012. Staff from both agencies developed an application for oil operators to apply for approval, which is available on the KCC website. KDHE developed K.A.R. 28-29-1600 through 28-29-1608, which became effective October 11, 2013. To date, one application for land-spreading has been received and was approved to spread water-based drilling waste from two wells in Rice County, KS in May of 2013.

Salary and Wages from 7/1-12/31 FY 2014		
Agency	Hours	Cost
*KDHE	625	\$31,752
**KCC	328.5	\$14,911.32

* Majority paid from Solid Waste Management Fund. Less than 5% paid from State General Funds and Water Program Funds.

** Paid from Conservation Fee Fund.