

Respectfully addressed to:
Chair Troy Waymaster and the Appropriations Committee Members
February 13, 2020

Testimony in Opposition to Proposed Bill 2534

There is over \$3 million dollars in what is now the Plugging Fund for abandoned wells drilled before 1996 (KSA 55-192). The KCC's stated interest in combining the 2 abandoned well plugging funds (KSA 55-166 and KSA 55-192) is to move this \$3 million, designated to plug old wells, to western Kansas to plug unspecified wells while leaving a massive abandoned well problem in eastern Kansas where roughly 90% of the old abandoned wells are.

The total number of abandoned Priority 1, unplugged wells requiring action on the KCC's Conservation Division's 2020 Abandoned Oil & Gas Well Status Report to the legislature is 5,233 of which 5,016 are in the Conservation Division's Districts 3 & 2 (eastern half of Kansas).

The abandoned well plugging fund established by KSA 55-192 currently is funded by **money designated by current statute ONLY for investigating and plugging abandoned wells drilled before July 1, 1996 and for remediating certain oil and gas well pollution sites.**

The bill that is needed but remains unwritten is a bill to raise the financial assurance requirements for oil and gas operators to insure that adequate money is available to plug wells that have been and will be abandoned. I believe the lack of funding from industry drives the KCC's idea of merging the two plugging funds. The plugging funds should remain separate or the massive problem of old unplugged wells in eastern Kansas will continue to threaten my/our drinking water.

I find evidence of the KCC's lack of initiative in resolving the problem of plugging the old abandoned wells of eastern Kansas in the KCC Conservation Division yearly "Abandoned Oil & Gas Well Report" to the legislature required by KSA 55-194.

The abandoned well priority list contained in these reports shows that the KCC is not plugging the wells that its own report show are the top priority. There are 3 levels of priority 1 wells, A, B and C. Priority 1A is the most serious category of the abandoned wells in need of plugging. All but one of these Priority 1A wells in the 2020 Abandoned Oil & Gas Well Report is in the eastern half of Kansas. The complete list of Priority 1A on that wells is shown below.

Priority 1 Level A – Surface Water (SW)

Wells actively discharging oil or brine into surface waters with significant ongoing impacts to surface water. Wells may be located within a sensitive groundwater area as designated in

Commission regulations. Includes wells with moderate to *high volumes* of discharge impacting public water supplies or sole source water supplies.

- Well #1 on the Big Hill Reservoir (COE) lease in Labette County in District 3, on the KCC's Priority 1A list and **unplugged since 2013**
- Well #1 on Schellack lease in Leavenworth County in District 3, on the KCC's Priority 1A list and **unplugged since 2017**

Priority 1 Level A – Groundwater (GW)

Wells creating *significant ongoing or potential impacts to groundwater supplies* through water quality degradation or loss of water supplies through downward drainage. Wells may be located within a designated sensitive groundwater area. Emphasis is placed upon impacts to groundwater supplies used *for public water supplies or sole source supplies* and cases of active subsidence caused by downward drainage.

- Well #OW-1 on Lane Massey lease in Cowley County in District 2, **on the KCC's Priority 1A list and unplugged since 2016**
- Well #1 on Justus lease in Reno County in District 2, **on the KCC's Priority 1A list and unplugged since 2016**

Priority 1 Level A – Public Safety (PS)

Wells creating an ongoing or current threat to public safety. Includes wells with active gas flows with danger of ignition or open large diameter wellbores or casings in urban or suburban settings.

- Well #1 on Palister/Hauschild lease in Rice County in District 2, on the KCC's Priority 1A list action and **unplugged since 2016**

In addition to the above wells, the KCC's 2020 Abandoned Report Well added the following wells to the Priority 1 Level A list of wells requiring action.

- **2 wells** on the Buzzi & Bossi lease in Cowley County in District 2
- Well #1-A on the Baker lease in Rice County in District 2
- **3 wells** on the Mccuillough lease in Franklin County in District 3
- Well #1 and Well 4 on the McKaig lease in Johnson County in District 3
- Well #OW1 on the Springer lease in Montgomery County in District 3,
- **19 wells** on the Neuenschwander lease in Montgomery County in District 3
- Well #1 on the Eveleigh lease in Barton County in District 4 (western Kansas)

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