



**Kansas Independent Oil & Gas Association**  
800 SW Jackson Street - Suite 1400  
Topeka, Kansas 66612-1216  
785-232-7772  
[www.kioga.org](http://www.kioga.org)

---

## **Testimony to Kansas House Agriculture Committee**

### **House Bill 2155**

**An Act concerning the department of health and environment; relating to water and soil pollutants; spill program; penalties.**

**Edward P. Cross, President**  
**Kansas Independent Oil & Gas Association**

**February 4, 2021**

---

Good afternoon Chair Rahjes, Vice Chair Smith, Ranking Minority Member Carlin and members of the committee. I am Edward Cross, President of the Kansas Independent Oil & Gas Association (KIOGA). KIOGA represents thousands of independent oil and natural gas explorers and producers, as well as allied service and supply companies. With nearly 3,500 members across the entire state, KIOGA is the lead state and national advocate for the Kansas independent oil and natural gas industry. I am responsible for public policy advocacy and interaction with external stakeholders including elected officials, regulators, governmental decision-makers, and community leaders. I am providing this neutral written testimony on House Bill 2155 (HB 2155) as information for the Committee.

As the Committee looks at HB 2155, please be aware that there is a Memorandum of Understanding (MOU) between the Kansas Department of Health & Environment (KDHE) and the Kansas Corporation Commission (KCC) giving the KCC jurisdiction over spills related to oil and gas exploration and production activities that do not get off-lease. Specifically, the MOU states the KCC is responsible for the prevention and cleanup of pollution resulting from oil and gas exploration and production, underground porosity gas storage activities regulated by the KCC. This specifically includes spill response actions for spills of produced fluid. Produced fluid is defined as crude oil, gas condensate, brine, basal sediment and production enhancement fluids, after entering a well. The KCC's responsibility for response actions includes planning, implementing, and supervising the cleanup operation.