

2021 Kansas Statutes

55-178. **Abandoned wells; complaint concerning pollution or water loss; commission investigation.** (a) Any person who has reason to believe that any abandoned well is causing or is likely to cause the loss of any usable water or pollution of any usable water strata or the imminent loss or pollution of any usable water, because the well has not been plugged, was improperly plugged or the plugging is no longer effective, may file a complaint in writing, so alleging, with the commission secretary. Such complaint shall state the location of the well and why the complainant believes that such well is causing or is likely to cause the loss of any usable water or pollution of any usable water strata or the imminent loss or pollution of any usable water.

(b) Upon receipt of any complaint filed pursuant to this section, the commission shall conduct an investigation for the purpose of determining whether the well is an abandoned well causing or likely to cause loss of any usable water or pollution of any usable water strata or the imminent loss or pollution of any usable water. As a result of the investigation, the commission may take any action or issue any order pursuant to the provisions of the Kansas administrative procedure act as may be appropriate. Proceedings for reconsideration and judicial review of any order shall be conducted in the manner provided pursuant to K.S.A. 55-606, and amendments thereto.

(c) As used in this section, "abandoned well" means a well that is not claimed on an operator's license that is active with the commission and is unplugged, improperly plugged or no longer effectively plugged.

History: L. 1986, ch. 201, § 30; L. 2021, ch. 28, § 5; July 1.