

Rene Stucky

From: Katherine Kelly <khkellyks@gmail.com>
Sent: Tuesday, February 07, 2017 9:45 PM
To: Rene Stucky
Subject: Re: Quail Oil & Gas Application

I am hopeful that this email will serve as a formal request for a hearing and of my intent to participate when one is scheduled. Here are my responses to the details provided:

82-3-135b. PROTESTERS.

Any protest against the granting of an application for an order filed pursuant to the provisions of K.A.R. 82-3-135a shall be considered under the following conditions:

- (a) A protest may be filed by any person having a valid interest in the application. Protests shall be in writing and shall clearly identify the name and address of the protester and the title and docket number of the proceeding. The protest shall include a clear and concise statement of the direct and substantial interest of the protester in the proceeding, including specific allegations as to the manner in which the grant of the application will cause waste, violate correlative rights or pollute the water resources of the state of Kansas.

Katherine Kelly
10024 W 55th St
Merriam, KS 66203

Regarding:

Application for Injection Authority, Docket D-32,464

Quail Oil & Gas, LC

Sly #2-6 SWD

Sec 6-T17S-R6E

Morris County, Kansas

The protest shall include a clear and concise statement of the direct and substantial interest of the protester in the proceeding, including specific allegations as to the manner in which the grant of the application will cause waste, violate correlative rights or pollute the water resources of the state of Kansas.

Allowing for increased injection of wastewater from oil drilling has been found to cause damage to water resources. the article here <https://insideclimatenews.org/news/05062015/fracking-has-contaminated-drinking-water-epa-now-concludes> references a study done by the EPA that found:

"scientific evidence that hydraulic fracturing activities can impact drinking water resources under some circumstances. The report identifies certain conditions under which impacts from hydraulic fracturing activities can be more frequent or severe:

- Water withdrawals for hydraulic fracturing in times or areas of low water availability, particularly in areas with limited or declining groundwater resources;
- Spills during the handling of hydraulic fracturing fluids and chemicals or produced water that result in large volumes or high concentrations of chemicals reaching groundwater resources;
- Injection of hydraulic fracturing fluids into wells with inadequate mechanical integrity, allowing gases or liquids to move to groundwater resources;
- Injection of hydraulic fracturing fluids directly into groundwater resources;
- Discharge of inadequately treated hydraulic fracturing wastewater to surface water; and Disposal or storage of hydraulic fracturing wastewater in unlined pits resulting in contamination of groundwater resources."

In light of the potential damage to groundwater resources, as well as the associated increases in seismic activity that have been found in multiple counties across the US, I formally request a hearing on this application.

(b) If the protester opposes only a portion of the proposed application, the protester shall state with specificity the objectionable portion.

(c) The protest shall be filed in triplicate with the conservation division within 15 days after publication of the notice of the application as required in K.A.R. 82-3-135a. Failure to file a timely protest shall preclude the interested person from appearing as a protester.

(d) Each protester shall serve the protest upon the applicant at the same time or before the protester files the protest with the conservation division. The protest shall not be served on the applicant by the conservation division.

(e) To secure consideration of a protest, the protester shall offer evidence or a statement or participate in the hearing.

My intent is to participate in any scheduled hearing.

On Tue, Feb 7, 2017 at 2:32 PM, Rene Stucky <r.stucky@kcc.ks.gov> wrote:

RE: Application for Injection Authority

Docket D-32,464

Quail Oil & Gas, LC

Sly #2-6 SWD

Sec 6-T17S-R6E

Morris County, Kansas

Dear Ms Kelly:

This email acknowledges receipt of your protest/objection to the above-referenced application.

Please advise me within ten (10) days of receiving this email if you feel a hearing should be scheduled in this matter. If a hearing is scheduled, you will be expected to participate in the hearing either in person or through legal counsel. Should you decide that you will not participate in a hearing, none will be scheduled and the application will be handled administratively and your protest will be noted. The U.S. Environmental Protection Agency (EPA) requires a hearing be held where significant interest is demonstrated. Failure to participate in the hearing process after filing a protest or objection indicates a lack of significant interest and no useful purpose would be served by holding a hearing if you, as opposing party, are not there to present testimony or cross-examine applicant's witnesses. If you are going to appear, you will receive a Notice of Hearing and should carefully comply with that Notice, including the requirement of pre-filed testimony. Any person requiring special accommodations under The Americans With Disabilities Act needs to give notice to the Commission at least ten (10) days prior to the scheduled hearing date. If you have questions regarding the hearing process, please contact John McCannon (316-337-6200) of our legal staff.

Commission staff has the duty to represent the public in general in recommending approval or denial of applications for injection or disposal well authority. One of the Commission's primary concerns is the protection of our groundwater and environment. If no hearing is held on this application, your objection will be taken into consideration by our staff in making a recommendation on this application. All of our staff geologists and technicians have qualified as expert witnesses and are sensitive to the concerns expressed by you and the citizens of our State.

Attached is a copy of the Conservation Division regulations regarding applications, hearings, and protestants. If you have any other questions, please do not hesitate to contact me.

Sincerely,

Rene Stucky

UIC Director/Production Supervisor



UIC-Production Department

Kansas Corporation Commission

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