

**THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS**

Before Commissioners: Shari Feist Albrecht, Chair
 Jay Scott Emler
 Pat Apple

In the matter of the failure of Oil Producers)	Docket No. 11-CONS-138-CPEN
Inc. of Kansas, to follow the provisions of)	
K.A.R. 82-3-603 and K.A.R. 82-3-603a with)	CONSERVATION DIVISION
regard to its Grewell Lease located in the)	
Southwest Quarter of Section 4, Township 34)	License No. 8061
South, Range 38 West, Stevens County,)	
<u>Kansas.</u>	

ORDER

This matter comes before the State Corporation Commission of the State of Kansas ("Commission") on its own motion to recind the penalty issued in this docket and to close the docket. Giving due consideration to the record herein its regulations and the Kansas Statutes the Commission makes the following findings and conclusions:

1. The Commission issued an order in this docket assessing Oil Producers Inc. of Kansas ("Oil Producers") a penalty of \$3,000.00 for violations of K.S.A. 82-3-603 on January 13, 2011. The violations were for various spills at the Grewell Twin well.
2. Prior to the issuance of the penalty order Oil Producers had agreed to an extensive cleanup plan for the spills and to monitor wells to insure the cleanup had been successful.
3. On January 27, 2011, Oil Producers appealed the penalty assessment and requested a hearing.
4. The hearing was continued by agreement between Staff and Oil Producers until the cleanup, remediation and monitoring was complete.
5. Cleanup, remediation and monitoring were completed in November 2013. All monitoring and water testing showed that there were no adverse effects on the aquifer from the

spills. The monitoring well was plugged in December 2013 and field staff closed its remediation of this site.

6. Oil Producers expended a large sum of money in remediation of these spills and were cooperative and timely in the remediation process. Therefore, staff has recommended that the penalties assessed against Oil Producers in this docket be recinded.

7. The Commission finds that the remediation of the spills that were the subject of this docket have been remediated by Oil Producers. Oil Producers was cooperative and timely in its remediation of the spills.

8. The Commission finds that it should follow Staff's recommendation to recind the penalty assessed in this docket and close the docket.

IT IS THEREFORE BY THE COMMISSION ORDERD THAT:

- A. The penalty assessed in this docket be, and is hereby recinded.
- B. The docket closed.
- C. Any party affected by this Order may file with the Commission a petition for reconsideration pursuant to K.S.A. 77-529(a). Such petition shall be filed within fifteen (15) days after service of this Order and must state the specific grounds upon which relief is requested. This petition for reconsideration shall be filed with the Executive Director of the Conservation Division, Finney State Office Building, 130 S. Market, Room 2078, Wichita, Kansas 67202-3802.

D. The Commission retains jurisdiction of the subject matter and the parties for the purpose of entering such further Order or Orders as from time-to-time it may deem proper.

BY THE COMMISSION IT IS SO ORDERED.

Albrecht, Chair; Emler, Com.; Apple, Com.

Date: MAY 13 2014




Kim Christiansen
Executive Director

Date Mailed: 5-14-2014

JM

I CERTIFY THE ORIGINAL
COPY IS ON FILE WITH
The State Corporation Commission

MAY 13 2014


CERTIFICATE OF SERVICE

I hereby certify that on 5-14-2014, I caused a true and correct copy of the foregoing "Order" to be served by placing the same in the United States mail, postage prepaid, to the following parties:

Charles C. Steincamp
David W. Nickel
DEPEW GILLEN RATHBUN & McINTEER, LC
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Attorneys for Oil Producers, Inc. of Kansas

and hand delivered to the following:

Richard Lacey, KCC District #1


John McCannon
Litigation Counsel
Kansas Corporation Commission