

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

In the matter of the failure of BG-5, Inc.	)	Docket No.: 25-CONS-3331-CPEN
(Operator) to comply with K.A.R. 82-3-111 at	)	
sixty-five wells in Franklin County, Kansas.	)	CONSERVATION DIVISION
	)	
	)	License No.: 31473

PRE-FILED DIRECT TESTIMONY

OF

TROY RUSSELL

ON BEHALF OF COMMISSION STAFF

SEPTEMBER 19, 2025

1 **Q. What is your name and business address?**

2 A. Troy Russell, 137 West 21st Street, Chanute, Kansas 66720.

3 **Q. By whom are you employed and in what capacity?**

4 A. I am employed by the Conservation Division of the Kansas Corporation Commission
5 (Commission), District #3 Office, as the District #3 Professional Geologist Supervisor.

6 **Q. Would you please briefly describe your background and work experience.**

7 A. I received my Bachelor of Science degree from Kansas State University in 1989. I began
8 work with the State of Kansas as a Geologist in 1991. I then received my professional
9 geologist (P.G.) license in 1992. I came to work in the Chanute District #3 Office within the
10 Conservation Division in 1997 as a P.G., primarily overseeing site remediation of
11 environmental impacts to soils and water resources resulting from oil and gas producing
12 activities. I became the District #3 Professional Geologist Supervisor in 2017.

13 **Q. What are your duties with the Conservation Division?**

14 A. I oversee the daily operations of District #3 as related to oil and gas activities. I supervise
15 two Public Service Administrators, twelve Environmental Compliance and Regulatory
16 Specialists (ECRSs), and two Geologists.

17 **Q. Have you previously testified before the Commission?**

18 A. Yes.

19 **Q. What is the purpose of your testimony in this matter?**

20 A. The purpose of my testimony is to discuss the evidence supporting the Commission's
21 findings in regard to the Penalty Order issued against BG-5, Inc. (Operator) in Docket
22 25-CONS-3331-CPEN (Docket 25-3331).

1 **Q. Have you ever spoken to anyone from BG-5, Inc. regarding the wells at issue in this**
2 **docket (Subject Wells)?**

3 A. Yes, I have spoken to Scott Burkdoll, a partner with Operator, regarding the Subject Wells.

4 **Q. Please describe that conversation.**

5 A. On February 3, 2025, I contacted Mr. Burkdoll concerning approximately 135 inactive
6 (“IN”) status wells on Operator’s license, which included the sixty-five Subject Wells. Staff
7 had sent a letter notifying Operator of “IN” status wells on its well inventory on January 29,
8 2025. Operator had previously expressed interest in initiating a Commission ordered
9 compliance agreement with Staff.

10 During our conversation, Mr. Burkdoll indicated that he did not believe he was responsible
11 for the Subject Wells. I asked him if he had ever certified his well inventory that included
12 the Subject Wells, and he replied he had certified it several times. I informed him that if he
13 had certified it multiple times, the Commission’s stance would likely be that he was
14 responsible for the Subject Wells. Mr. Burkdoll then indicated that he had GPS’d the wells
15 a long time ago, and that his attorney at that time had advised him to include the wells on his
16 well inventory.

17 Mr. Burkdoll also indicated that at some point in his yearly certifications he had included
18 notation that these wells were not his, as well as contacting the Central Office Staff to
19 verbally tell them that they were not his wells. I suggested that if Mr. Burkdoll felt strongly
20 about it, that he should request a hearing before the Commission to determine what his
21 responsibility was. I also suggested that we proceed with efforts to develop a compliance
22 agreement for the remaining “IN” status wells, and that if he did so in good faith we could
23 possibly add the Subject Wells if the Commission decided he was responsible for them. Staff

1 and Operator were able to come to terms on a proposed compliance agreement for wells other
2 than the Subject Wells, which was approved by the Commission on June 12, 2025.

3 **Q. Please summarize your recommendations.**

4 A. My conversation with Mr. Burkdoll suggests that Operator is responsible for the Subject
5 Wells. As the Subject Wells are inactive and unplugged without temporary abandonment
6 status, I believe the Penalty Order issued by the Commission against Operator should be
7 affirmed.

8 **Q. Does this conclude your testimony?**

9 A. Yes.

CERTIFICATE OF SERVICE

25-CONS-3331-CPEN

I, the undersigned, certify that a true and correct copy of the attached Testimony has been served to the following by means of electronic service on September 19, 2025.

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/s/ Sara Graves

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