

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

In the matter of the failure of Liberty Oper &)	Docket No. 19-CONS-3135-CPEN
Compl, Inc. (“Operator”) to comply with)	
K.A.R.82-3-407 at the Farr SWD (Salber B)#1)	CONSERVATION DIVISION
in Rooks County, Kansas)	
_____)	License No. 8925

PRE-FILED TESTIMONY

OF

Richard Williams

On Behalf of Commission Staff

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

2 A. Richard Williams, 2301 E. 13th Street Hays, Kansas 67601.

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, District
5 #4 Office, as an Environmental Compliance and Regulatory Specialist (ECRS), the
6 Temporary Abandoned Well Coordinator, and the District #4 Compliance officer.

7 **Q. How long have you been employed by the KCC?**

8 A. Since July 1997, and as the District #4 Temporary Abandoned Well Coordinator and
9 Compliance Officer since 2014.

10 **Q. Have you previously testified before this Commission?**

11 A. Yes.

12 **Q. What duties does your position with the Conservation Division involve?**

13 A. As compliance officer, I prepare evidence necessary to recommend penalties for violations of
14 Commission regulations. My job includes reviewing Staff field reports, coordinating day-to-
15 day operations of the District #4 office, sending notice of violation (NOV) letters, and
16 generally trying to resolve compliance issues. I work to coordinate scheduling of Staff-
17 witnessed well completions, well pluggings, and mechanical integrity tests (MIT). I make sure
18 spills and complaints are investigated, verify proper construction of wells, help train District
19 Staff regarding Commission regulations, and work with Commission Staff in Wichita.

20 **Q. Are you familiar with this docket, 19-CONS-3135-CPEN?**

21 A. Yes, I have reviewed all fillings in this docket. The Operator was penalized for one violation
22 of K.A.R. 82-3-407 because a current and successful MIT had not been performed on the
23 subject well.

1 **Q. Would you please explain the requirements of K.A.R. 82-3-407?**

2 A. Yes. Under K.A.R. 82-3-407(a), injection wells must be completed, equipped, operated, and
3 maintained in a manner that prevents pollution of fresh and usable water, prevents damage to
4 sources of oil or gas, and confines fluids to the interval approved for injection. Operators
5 demonstrate this by performing an MIT at least once every five years.

6 **Q. Was the Operator notified that the subject well's MIT deadline was approaching?**

7 A. Yes. Staff mailed the Operator a reminder letter on November 27, 2017. The letter listed the
8 subject well's current MIT expiration date as June 18, 2018. The reminder letter is attached
9 as R.W. Exhibit 1.

10 **Q. Did the Operator conduct an MIT by the listed expiration date?**

11 A. Yes. Technically the Operator was a day late conducting the MIT. The Operator conducted
12 an MIT on the subject well on June 19, 2018, but the well failed. A copy of the failed MIT is
13 attached as R.W. Exhibit 2.

14 **Q. Would you please explain what is required of the Operator under K.A.R. 82-3-407 after**
15 **a well fails an MIT?**

16 A. Yes. Under K.A.R. 82-3-407(c), the operator of any well failing to demonstrate mechanical
17 integrity shall have no more than 90 days to repair and retest the well to show mechanical
18 integrity, plug the well, or isolate all leaks to demonstrate the well does not pose a threat to
19 fresh or usable water or endanger correlative rights. Additionally, the well must be shut-in
20 and disconnected until it complies with K.A.R. 82-3-407(c).

21 **Q. Was the Operator notified of this 90-day deadline?**

22 A. Yes. Staff mailed the Operator a failed MIT deadline for compliance letter on June 28, 2018.
23 The letter gave the Operator until September 17, 2018, to perform one of the three options

1 listed in K.A.R. 82-3-407(c) and stated that failure to do so shall be punishable by a \$1,000
2 penalty. The deadline for compliance letter is attached as R.W. Exhibit 3.

3 **Q. Did the Operator conduct a successful MIT, plug the well, or isolate all leaks to**
4 **demonstrate the well did not pose a threat to fresh or usable water or endanger**
5 **correlative rights by the September 17, 2018 deadline?**

6 A. No. On September 18, 2018, I submitted a penalty recommendation pursuant to K.A.R. 82-3-
7 407 for failure to conduct a successful MIT on the subject well. On October 4, 2018, the
8 Commission issued a Penalty Order finding the Operator violated K.A.R. 82-3-407 and
9 assessing the Operator a \$1,000 penalty.

10 **Q. Did the Operator eventually conduct a successful MIT on the subject well?**

11 A. Yes. The Operator conducted a successful MIT on January 25, 2019; 220 days after the subject
12 well originally failed an MIT, 130 days past the 90-day deadline prescribed in K.A.R. 82-3-
13 407(c).

14 **Q. Do you have a recommendation regarding the Penalty Order in this docket?**

15 A. Yes. The Penalty Order should be affirmed. The Operator failed to conduct a successful MIT
16 within 90 days of a failed MIT which is a clear violation of K.A.R. 82-3-407(c). The
17 assessment of the \$1,000 penalty in the Commission's Penalty Order is reasonable and should
18 be upheld.

19 **Q. Does this conclude your testimony as of this date, February 25, 2019?**

20 A. Yes.

Pat Apple, Chairman
Shari Feist Albrecht, Commissioner
Jay Scott Emler, Commissioner

November 27, 2017

Roger L Comeau
Liberty Oper & Compl, Inc
100 SW 9TH
PLAINVILLE KS 67663-2229

License: 8925

REMINDER
MECHANICAL INTEGRITY TEST
APPROACHING DEADLINE

RE: Mechanical Integrity Test Reminder

Dear Operator:

Commission records indicate that the wells on the attached list will soon be due for a Mechanical Integrity Test (MIT). The applicable due date for each well is on the list.

For any questions, or to schedule a testing date, please contact the appropriate District Staff at one of the following phone numbers:

District #1, (620) 225-8888
District #2, (316) 630-4000
District #3, (620) 432-2300
District #4, (785) 625-0550

- The date of the MIT must be mutually agreed upon with District Staff.
- Please contact the appropriate district staff at least 2 days prior to your proposed testing date.
- A representative of the operator must be on site during each MIT.

Failure to conduct any MIT by the applicable due date shall be punishable by a \$1,000 per-well penalty.

Sincerely,

KCC Underground Injection Control Staff

List of Wells: Due for a Mechanical Integrity Test

DOCKET	API Well #	Lease Name / Well #	Well Location	County	MIT Expiration
D23557.0	15-163-22461-00-00	FARR SWD (SALBER B) 1	36-7S-19W, SESESW	ROOKS	6/18/2018

CASING MECHANICAL INTEGRITY TEST

DOCKET# D-23,557

Disposal Well ☒ Enhanced Recovery:**FAILED**Repressuring ☐Flood ☐Tertiary ☐

NW-SE-SE-SW , Sec 36 , T 7 S, R 19 E/W

530 Feet from South Section Line

2970 Feet from East Section Line

Lease Farr 'A' Slaber 'B' Well # 1

County Rooks

Date injection started

API #15- 163-22,461

Operator: Liberty Operations & Completions

Operator License# 8925

Name &

Address 100 SW 9th St.

Contact Person Roger Comeau

Plainville Kansas 67663

Phone 785-434-4686

Max. Auth. Injection Press 0 Psi; Max Inj. Rate 1200 bbl/d;

If Dual Completion - Injection above production Injection below production

	Conductor	Surface	Production	Liner		Tubing
Size	13 3/8	8 5/8	4 1/2		Size	2 7/8
Set at	94	1277	3430		Set at	3328
Cement Top	0'W 125sx	0	2930W/125sx		Type	F.G.
" Bottom	94	1277	3430			
DV/Perf.	Alt I	TD (and plug back)	3600			ft. depth
Packer type	Compression	Size	4 1/2	Set at	3328	
Zone of injection	3430	ft. to ft.	3600	Perf. or open hole	O.H.	

Type MIT: Pressure: 02 Radioactive Tracer Survey: Temperature Survey:

F Time: Start 0 Min 15 Min 30 Min

I

E Pressures: 0 0 0 Set up 1 System Pres. during test 0

L

D Set up 2 Annular Pres. during test

D Set up 3 Fluid loss during test bbls.

A

T Tested: Casing or Casing - Tubing Annulus ☒

A

** Operator reported fail****

* Retest due 9/17/2018. DD

The bottom of the tested zone in shut in with packer

Test Date June 19, 2018 Using Company's Equipment

The operator hereby certifies that the zone between 0 feet and 3328 feet

was the zone tested

Signature

Title

The results were Satisfactory Marginal Not Satisfactory ☒State Agent: Daniel P. Pappan Title: ECRS Witness: YES NO ☒

REMARKS: Operator reported that well will not pass MIT.

Orgin. Conservation Div.: Kcc KDHE/T: 4 Dist. Office

Computer Update Is there Chemical Sealant or a Mechanical Casing patch in the annular space? (Y/N)

(If YES please describe in REMARKS)
KCC Form U-7

GPS Lat GPS Long

R.W. Exhibit 2

Page 1 of 1



Shari Feist Albrecht, Chair
Jay Scott Emler, Commissioner
Dwight D. Keen, Commissioner

Corporation Commission

Jeff Colyer, M.D., Governor

FAILED MECHANICAL INTEGRITY TEST (MIT)
DEADLINE FOR COMPLIANCE

LICENSE 8925

June 28, 2018

LIBERTY OPER & COMPL, INC
100 SW 9TH
PLAINVILLE KS 67663-2229

Re: API No. 15-163-22461-00-00

DOCKET No. D23557.0
FARR SWD (SALBER B) 1
36-7S-19W, SESESW
ROOKS County, Kansas

Operator:

On June 19, 2018, the referenced well failed a mechanical integrity test. Under K.A.R. 82-3-407(c), you have 90 days to:

- 1) repair and retest the well to show mechanical integrity,
- 2) plug the well, or
- 3) isolate all leaks to demonstrate the well does not pose a threat to fresh or usable water or endanger correlative rights.

The well must be shut-in and disconnected until it complies with K.A.R. 82-3-407(c).

Failure to comply with K.A.R. 82-3-407(c)
by September 17, 2018
shall be punishable by a \$1,000 penalty.

Please contact this office as soon as possible to let us know your plans for this well.

Sincerely,

DARREL DIPMAN
KCC District # 4

CERTIFICATE OF SERVICE

19-CONS-3135-CPEN

I, the undersigned, certify that the true copy of the attached Prefiled Testimony of Richard Williams has been served to the following parties by means of first class mail and electronic service on February 25, 2019.

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/S/ Paula J. Murray

Paula J. Murray