

ILLINOIS REGISTER

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: The Illinois Oil and Gas Act
- 2) Code Citation: 62 Ill. Adm. Code 240
- 3) Section Numbers: 240.796 Adopted Action:
New Section
- 4) Statutory Authority: Implementing and authorized by the Hydraulic Fracturing Regulatory Act [225 ILCS 732]
- 5) Effective Date of Amendments: November 14, 2014
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted rulemaking, including all material incorporated by reference is on file in the Department of Natural Resources' principal office and is available for public inspection.
- 9) Notice of Proposal Published in *Illinois Register*: November 15, 2013, 37 Ill. Reg. 18081
- 10) Has JCAR issued a Statement of Objections to this rulemaking? No
- 11) Differences between proposal and final version: Some grammatical, formatting and punctuation modifications were made that did not affect the substance of the rule. In addition to the grammatical formatting and punctuation modifications, the following substantive changes were made:

First Notice Changes:

In subsection (d), the magnitudes for yellow and red light alerts were reduced.

In subsection (c)(3), new seismic monitoring consultation requirements were included.

The radii were increased.

In subsection (g), induced seismicity reporting requirements were modified.

Second Notice Changes:

Subsection (b) was modified to indicate that seismic activity in a neighboring state must be in an adjacent county to Illinois.

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- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rulemaking: Implementing administrative rules to regulate the monitoring of Class II UIC wells receiving any Class II Fluids or hydraulic fracturing flowback from wells where high volume horizontal hydraulic fracturing operation were conducted for the purpose of determining whether such Class II UIC wells are contributing to seismic activity. The administrative rules will also regulate when the Department will notify Class II UIC well permittees of induced seismic activity in the area and how to mitigate the operations of Class II UIC wells to reduce future induced seismicity events.
- 16) Information and questions regarding these adopted amendments shall be directed to:

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217/782-1809

The full text of the Adopted Amendment begins on the next page: