

Illinois Oil and Gas Advisory Board

November 18, 2020 Meeting Minutes

Board members in attendance: Bryan Dicus, Ross Basnett, Casey Lampley, Stephanie Storckman, Steve Persinger and Malcolm Booth. Larry Miller was absent.

Non-voting members in attendance: Dan Brennan (DNR), Craig Hedin

DNR – OOGRM in attendance: Kendra Brokamp, Kyle Fitzpatrick

Guests: Matthew McCarthy, Stephanie Lewis, and Nelson Wood

1) Chairman Dicus called the meeting to order at 10:14 AM.

2) Meeting Minutes Submission

Minutes from the September 2020 meeting were approved. Motion was made by Ms. Stephanie Storckman and seconded by Mr. Malcolm Booth. Motion was carried unanimously.

3) Round Table Discussion

A) 10 Acre Spacing:

Mr. Dan Brennan stated that he thinks everything is in good enough language to present it to the DNR legal counsel. He does not anticipate any issue with it. Upon their review the language will then be sent to the IL Secretary of State's office to start the review/notice processes. After the second review clears, the language for the change will then be sent to JCAR. Assuming there are no issues or objections, he estimates 90-120 from when the language is received by the Secretary of State's office. Mr. Brennan said he would let the Advisory Board know when the language was sent to the Secretary of State's office.

B) Notice to Coal Owners

Office of Mine and Minerals is still waiting to appoint a new Director. They would like to have a new director in place prior to moving forward with the New Notices to Coal Owners. Mr. Craig Hedin is resending language to Mr. Brennan. Mr. Brennan stated he did not know when the Governor would fill the Directors seat.

C) Use of Terms "Formation" vs "Pool" in Regulations

Mr. Brennan said the DNR is working with the EPA on various issues. He said the DNR is not prepared to move forward with the language change until the EPA is satisfied on the issues brought up in the recent audit received by the DNR in September. Mr. Brennan said the DNR will work with operators on issues with permitting. Mr. Matthew McCarthy said we need to address the irregulars in the Regulations vs Statutes. Mr. Craig Hedin said he had several written responses from industry professionals offer their expertise and opinions on

the “issues” the EPA was having. All seem to have trouble understanding what the problem is and why it should be fixed if it’s a nonexistent issue. Mr. Brennan is hoping to have some answers and timeframe from the EPA by the next Advisory Board meeting.

D) Revised Language to 240.360(b)

Mr. Brennan said he believes the language is set to go forward regarding using industry professionals/expert opinions as to geological/engineering conditions. Ms. Stephanie Storckman made the motion to accept and move forward with the language. Mr. Ross Basnett seconded the motion. Motions carried.

4: New Business:

A) Selection of 1st Q 2021 meeting date (New terms begin Jan 18, 2021)

Everyone can be reappointed. Mr. Bryan Dicus is stepping down as chairman and off the board. He has recommended a replacement to the IOGA Executive Committee and IOGA President. Next meeting and the first meeting of 2021 will be February 4 at 10:00 AM.

B) Address operator complaints regarding email & phone contact at OGRM

Mr. Brennan addressed that the DNR is and had been working from home for some time due to COVID-19. Some operators have expressed issues about not being able to get in contact with DNR officials. He said they have started getting more state issued cell phones. He stated the DNR will be doing more remote work and he will make sure they all do better at responding to operators both by phone and email. The DNR is creating a schedule to be able to rotate in and out of the office to get files/materials, etc. He vowed to work with the staff to make sure they follow up to calls and emails.

C) Enforcement of OG-26CP and OG-26NP Regulations

Mr. Ross Basnett wanted to know how to get a couple of wells out of his employer’s bond since the lease was sold several years ago and since resold to an operator that cannot have a bond due to too many violations? Mr. Basnett and Mr. Matthew McCarthy stated the OG-26CP and OG-26NP forms were set up for this reason but the DNR will not transfer the wells out of the old operator’s name/bond. Mr. Dan Brennan said he would prefer to have a virtual meeting with Mr. Basnett and Mr. McCarthy about the issue since it tends to be an isolated issue

5: Public Participation:

Mr. Nelson Wood commented on the NNC’s and NOV’s. He received an NOV for weeds in the firewall and a Directors Decision with no notice (NNC). He asked if it was new policy to go straight to a Directors Decision with no notice to the operator? Mr. Wood was told it went against his enforcement history. Mr. Matthew McCarthy asked if eliminating the NOV led to an increase of Directors Decisions? The DNR is going to check into the issues brought up. Ms. Stef Lewis mentioned an issue she was having still shows up on her employer’s violation list even though it was abated in February 2019. She has requested a hearing on the matter but has not had a response from the DNR.

6: Next Meeting:

February 4, 2021 at 10:00 AM.

Mr. Steve Persinger made the motion to adjourn seconded by Ms Stephanie Storckman at 11:08 AM.
Meeting adjourned.