

Joint Committee on Administrative Rules
ADMINISTRATIVE CODE

TITLE 62: MINING
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
PART 240 THE ILLINOIS OIL AND GAS ACT
SECTION 240.945 LEASE ROAD OILING

Section 240.945 Lease Road Oiling

- a) Lease road oiling shall not be allowed without receiving a permit from the Department.
- b) The permittee shall apply for and receive a lease road oiling permit for each lease or unit from the Department on a form prescribed by the Department prior to oiling any lease road. **The application shall be executed under penalties of perjury.**
- c) Application for a lease road oiling permit shall include:
 - 1) the location of the lease or unit;
 - 2) the permittee's name and address;
 - 3) the method to be used for application of the bottom sediments;
 - 4) a map showing the lease roads to be oiled and the location of any surface drainage features on or immediately adjacent to the lease or unit; and
 - 5) written consent from the current surface owner or owners allowing the crude oil bottom sediment application.
- d) Upon approval, crude oil bottom sediment shall be applied to lease roads in such a fashion as to avoid run-off during application onto immediately adjacent land areas. Immediately following completion of the application, all liquids shall be incorporated or otherwise absorbed into the soil with no visible freestanding oil.
- e) No lease road shall be oiled more than twice yearly.
- f) Lease road oiling shall not be conducted when the ground is frozen or during precipitation events and is prohibited in areas subject to frequent flooding.
- g) Crude oil bottom sediments used for lease road oiling shall not have a produced water content of greater than 10% free water by volume.
- h) Lease road oiling permits are not transferable and are required for each lease or unit. The permit shall be valid for as long as the lease or unit is actively operating under the current permittee. The permit shall become invalid upon a change of the surface owner or if the surface owner withdraws consent to apply crude oil bottom

sediment. A withdrawal of consent shall be made in writing to the Department.

- i) Lease road oiling material applied without a permit shall be removed from the road and properly disposed of.
- j) Lease road oiling permits are subject to revocation in accordance with Section 240.251.
- k) The Department may not issue a Lease Road Oiling Permit or may revoke a Lease Road Oiling Permit if:
 - 1) The permittee fails to meet permit conditions; or
 - 2) The applicant or permittee is not in compliance with Section 240.250(b) of this Part.

(Source: Amended at 35 Ill. Reg. 13281, effective July 26, 2011)