**Section 240.1600 Definitions**

The following definitions are applicable to this Subpart:

 "Abandoned Well" means:

 A well:

 for which the underlying lease has been released in writing by the lessee or has been declared forfeited or invalid by a court order, the order is final and the appeal period has lapsed; and

 the lessor states in writing that the lessor has not leased out the oil and gas working interest to any other person and does not intend to so lease, that the lessor does not intend to operate the well, and that the lessor desires that the well be plugged;

 A well owned by a permittee who has made no payment by November 1 of a current annual well fee assessment;

 A well for which a bond was forfeited in accordance with Section 6 of the Act;

 A well that has not had commercial production in the last 2 years;

 A well for which the permit has been revoked in accordance with Section 240.251; or

 A well that has been plugged but not restored in accordance with Section 240.1170.

"Commercial Production" means oil and/or gas has been produced and sold from the well.

 "Emergency Remediation Project" means an emergency crude oil production facility, crude oil or saltwater spill remediation, or remediation of conditions endangering public health or safety or contaminating surface waters or groundwater, or the surface of the land.

 "Emergency Repair Work" means work to repair or contain leaks of produced fluids from production equipment, pits, or other containment structures that are contaminating surface waters or groundwaters or are flowing in sufficient quantity to create an increasing area of contamination on the surface of the land.

 "Emergency Well Plugging" means the plugging and abandonment of a well or wells that are actively flowing oil or saltwater and are contaminating surface waters or groundwaters or flowing in sufficient quantity to create an increasing area of contamination on the surface of the land, or a well leaking natural gas or hydrogen sulfide gas in sufficient quantity to endanger public safety or create a fire hazard or a non-leaking well that poses an imminent danger to public safety.

 "PRF" means the Department's Plugging and Restoration Fund, established under Section 6 of the Act. Monies from this fund shall be spent in accordance with 44 Ill. Adm. Code 610.

 *"Well Site Equipment"* means the equipment, *including but not limited to an associated tank battery and production facility equipment, hydrocarbons from the well that are stored* in tanks located *on the lease, and hydrocarbons recovered during the plugging operation,* that *may be sold at a public auction or a public or private sale. All well site equipment and hydrocarbons acquired by a person by sale shall be acquired under clear title, subject to any perfected prior legal or equitable claims.* (Section 19.6 of theAct)

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