**Section 245.825 General Fluid Storage**

In accordance with the approved hydraulic fracturing fluid and flowback plan required by Section 245.210(a)(11) and the approved containment plan required by Section 245.210(a)(13), and *except as provided in* Section 245.830, *hydraulic fracturing additives, hydraulic fracturing fluid, hydraulic fracturing flowback, and produced water shall be stored in above-ground tanks* pursuant to the requirements of this Section at all times *until removed for proper disposal* or recycling (Section 1-75(c)(1) and (c)(2) of the Act).

a) *Above-ground tanks* must be:

1) *closed, watertight,* vented in compliance with Section 245.910, *and corrosion*-resistant (Section 1-75(c)(4) of the Act);

2) *constructed of materials compatible with the composition of the hydraulic fracturing fluid, hydraulic fracturing flowback, and produced water* (Section 1-70(b)(3) of the Act). For purposes of this Section, for the materials of a containing mechanism or device to be "compatible" means that the materials are resistant to corrosion, erosion, swelling, deterioration or other damage as a result of normal exposure to whatever substances it is intended to contain, as well as exposure to weather and natural hazards;

3) *of sufficient pressure rating* (Section 1-75(c)(6) of the Act);

4) *maintained in a leak-free condition* (Section 1-75(c)(6) of the Act); and

5) *routinely inspected for corrosion*, at least semiannually (Section 1-75(c)(4) of the Act). Permittees shall maintain records of these periodic inspections.

b) *Secondary containment* is required *for* all above-ground *tanks and additive staging areas.*

1) *Secondary containment measures may include one or a combination of the following: dikes, liners, pads, impoundments, curbs, sumps, or other structures or equipment capable of containing the substance* within the well site.

2) *Any secondary containment must be sufficient to contain* 150% *of the total capacity of the single largest container or tank within a common containment area* (Section 1-75(c)(13) of the Act), be compatible with the environment and the substances to be contained, and be protected from heavy vehicle or equipment traffic*.*

c) *Piping, conveyances, valves in contact with hydraulic fracturing fluid, hydraulic fracturing flowback, or produced water must be* (Section 1-70(b)(3) of the Act):

1) *constructed of materials compatible with the* expected *composition of the hydraulic fracturing fluid, hydraulic fracturing flowback, and produced water* (Section 1-70(b)(3) of the Act);

2) *of sufficient pressure rating* (Section 1-75(c)(6) of the Act);

3) *able to resist corrosion* (Section 1-75(c)(6) of the Act); and

4) *maintained in a leak-free condition*. (Section 1-75(c)(6) of the Act)

d) Stationary fueling tanks shall meet the requirements of this subsection (d).

1) Stationary *fueling tanks* shall have *secondary containment* in accordance with subsection (b) (Section 1-70(c)(2) of the Act);

2) Stationary *fueling tanks shall be subject to* the setback requirements of *Section* 245.400 (Section 1-70(c)(2) of the Act);

3) Stationary *fueling tank filling operations shall be supervised at the fueling truck and at the tank if the tank is not visible to the fueling operator from the truck* (Section 1-70(c)(3) of the Act)*;* and

4) *Troughs, drip pads, or drip pans are required beneath the fill port of a* stationary *fueling tank during filling operations if the fill port is not within the secondary containment required by subsection* (b) (Section 1-70(c)(4) of the Act).

e) *Fresh water may be stored in tanks or pits at the election of the* permittee (Section 1-75(c)(3) of the Act).

f) Any tank, structure, measure or device intended or used for storage of hydraulic fracturing fluid, hydraulic fracturing flowback, or produced water, unless demonstrated to be outside the regulatory floodplain, shall be considered a construction subject to 17 Ill. Adm. Code 3706.240 and 3706.630 and constructed to the standards set forth in 17 Ill. Adm. 3706.530(b) or (c), as applicable. No above-ground tanks or secondary containment structure, measure or device containing or intended to contain hydraulic fracturing fluid, hydraulic fracturing flowback, or produced water, whether for storage or otherwise, may be located in the regulatory floodway (17 Ill. Adm. Code 3706.420) unless the applicant first secures the necessary permits and completes any mitigation measures required by any permitting agency.