**Section 245.840 Hydraulic Fracturing Fluid and Flowback Confinement**

a) *Hydraulic fracturing fluid shall be confined to the targeted formation designated in the permit.*

b) *If the hydraulic fracturing fluid or hydraulic fracturing flowback migrate into a fresh water zone or to the surface from the well in question or from other wells, the permittee shall immediately notify the Department* and the county and certified local public health department (if any) *and shut in the well until remedial action that prevents the fluid migration is completed. The permittee shall obtain the approval of the Department prior to resuming operations.* (Section 1-75(d) of the Act)

c) Permittee shall be responsible for damages caused by the migration of hydraulic fracturing fluid or hydraulic fracturing flowback outside the targeted formation.