

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Oil and Gas Act is amended by
5 adding Sections 7.5 and 7.6 as follows:

6 (225 ILCS 725/7.5 new)

7 Sec. 7.5. Natural gas storage field; natural gas incident;
8 public notice. In addition to the requirements of this Section
9 and any applicable State and federal law, an operator of a
10 natural gas storage field that lies on the footprint of a Sole
11 Source Aquifer designated as such in 2015 by the United States
12 Environmental Protection Agency must immediately notify the
13 following parties located within 5 miles of the boundaries of a
14 natural gas incident:

15 (1) The Illinois Emergency Management Agency and all
16 municipalities and counties.

17 (2) All emergency service agencies serving that area.

18 (3) All owners and operators of public water supplies,
19 community water supplies, and non-community water
20 supplies.

21 As soon as practicable, but no later than 3 months after
22 the effective date of this amendatory Act of the 100th General
23 Assembly, the Department shall adopt rules establishing the

1 minimum criteria for an unintentional release of natural gas
2 that would constitute an incident for purposes of this Section.
3 In determining what constitutes an incident, the Department
4 shall consider, but is not limited to, the following criteria:

5 (1) the amount of natural gas or other substances that
6 were released as a result of the incident;

7 (2) the duration of the natural gas incident before it
8 was resolved; and

9 (3) whether there is an imminent threat of danger to
10 property or public safety.

11 The rules shall be at least as stringent as the definition
12 of "incident" as promulgated by the United States Secretary of
13 Transportation under 49 CFR 191.3(1)(iii). The Department
14 shall maintain the rules so that the rules are at least as
15 stringent as the definition of "incident" from time to time in
16 effect under 49 CFR 191.3(1)(iii).

17 In addition, all private residents, owners and operators of
18 private water systems, or businesses, including agricultural
19 operations, located within one and a half miles of the
20 boundaries of the natural gas incident must be notified as soon
21 as practically possible.

22 Notices to private residents and businesses must be
23 attempted through verbal communication, whether in person or by
24 telephone. If verbal communication cannot be established, a
25 physical notice must be posted on the premises of the private
26 residence or business in a conspicuous location where it is

1 easily seen by the inhabitants of the private residence or
2 employees at the business. The physical notice shall carry the
3 following text in at least 18-point font: "NATURAL GAS INCIDENT
4 NOTICE - READ IMMEDIATELY". Notices required under this Section
5 shall be provided whether or not the threat of exposure has
6 been eliminated. Both verbal and physical notices shall include
7 the location of the natural gas incident, the date and time
8 that the natural gas incident was discovered, contact
9 information of the operator of the natural gas storage field,
10 and any applicable safety information.

11 The operator of a natural gas storage field has a
12 continuous and ongoing obligation to further notify the
13 affected parties as necessary if it is determined that the
14 boundaries of the natural gas incident have increased, moved,
15 or shifted. This notice requirement shall be construed as
16 broadly as possible.

17 (225 ILCS 725/7.6 new)

18 Sec. 7.6. Gas storage field inspection. The Department
19 shall conduct annual inspections at all gas storage fields
20 lying on the footprint of a Sole Source Aquifer designated as
21 such in 2015 by the United States Environmental Protection
22 Agency in the State to ensure that there are no infrastructure
23 deficiencies or failures that could pose any harm to public
24 health. The owner of the gas storage field shall cover the
25 costs of the annual inspection.