



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB1190

Introduced 1/31/2023, by Rep. Bob Morgan

SYNOPSIS AS INTRODUCED:

415 ILCS 160/5
415 ILCS 160/27 new

Amends the Illinois Underground Natural Gas Storage Safety Act. Provides that, in the case of a verified facility release, the owner and operator of the underground natural gas storage facility is responsible for specified actions. Defines "verified facility release". Effective immediately.

LRB103 05716 CPF 50736 b

1 AN ACT concerning safety.

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

4 Section 5. The Illinois Underground Natural Gas Storage
5 Safety Act is amended by changing Section 5 and by adding
6 Section 27 as follows:

7 (415 ILCS 160/5)

8 Sec. 5. Definitions. As used in this Act, unless the
9 context otherwise requires:

10 "Commission" means the Illinois Commerce Commission.

11 "Contaminant" means gas, salt water, or any other
12 deleterious substance released from an underground natural gas
13 storage facility.

14 "Department" means the Department of Natural Resources.

15 "Director" means the Director of Natural Resources.

16 "Downhole" means the portion of the underground natural
17 gas storage facility from the first flange attaching the
18 wellhead to the pipeline equipment and continuing down the
19 well casing to and including the storage reservoir.

20 "Federal Act" has the meaning given to that term in the
21 Illinois Gas Pipeline Safety Act.

22 "Gas" means natural gas.

23 "Notice of probable violation" means a written notice,

1 satisfying the criteria set forth in Section 35, given by the
2 underground natural gas storage safety manager to a person who
3 operates an underground natural gas storage facility that
4 identifies a failure of such person to comply with the
5 provisions of this Act or the provisions of 49 U.S.C. Chapter
6 601 concerning underground natural gas storage facilities, or
7 any Department order or rule issued under this Act, and may
8 include recommendations for a penalty in connection therewith,
9 subject to the terms of this Act.

10 "Person" means an individual, firm, joint venture,
11 partnership, corporation, company, limited liability company,
12 firm, association, municipality, cooperative association, or
13 joint stock association. "Person" includes a trustee,
14 receiver, assignee, or personal representative thereof.

15 "Underground natural gas storage facility" means a gas
16 pipeline facility that stores natural gas in an underground
17 facility, including a depleted hydrocarbon reservoir, an
18 aquifer reservoir, and a solution-mined salt cavern reservoir.

19 "Underground natural gas storage safety manager" means the
20 manager of the Department's Underground Natural Gas Storage
21 Safety Program or other staff of the Department assigned to
22 underground natural gas storage safety issues.

23 "Verified facility release" means that:

24 (1) an unintentional gas release that originates
25 within a quarter mile of an underground natural gas
26 storage facility has occurred;

1 (2) the gases from the release are collected and
2 tested, either by the underground natural gas storage
3 facility's owner and operator or paid for by the
4 underground natural gas storage facility's owner and
5 operator, using gas chromatography or isotopic analysis;
6 and

7 (3) the gases' composition has markers of thermogenic
8 origins that are indicative of pipeline gas.

9 (Source: P.A. 100-1172, eff. 1-4-19.)

10 (415 ILCS 160/27 new)

11 Sec. 27. Verified facility release. In the case of a
12 verified facility release, such as a natural gas incident as
13 defined under 62 Ill. Adm. Code 240.1805, in addition to any
14 remedial or administrative duty ordered by any authorized
15 State or federal agency, the owner and operator of the
16 underground natural gas storage facility is responsible for
17 the following:

18 (1) Collection and testing of any gases released or
19 found within a quarter mile of the underground natural gas
20 storage facility.

21 (2) Installation and maintenance of monitors in
22 affected areas, including homes, in accordance with the
23 Illinois Plumbing License Law and any rules adopted
24 thereunder.

25 (3) Offering and maintaining gas-water separators in

1 affected areas, including homes, in accordance with the
2 Illinois Plumbing License Law and any rules adopted
3 thereunder.

4 (4) Providing lodging accommodations when alerts from
5 gas detectors are active and levels are explosive.

6 (5) Undertaking a comprehensive inspection of the
7 underground natural gas storage facility's wells that
8 shall be completed by a licensed engineering firm.

9 (6) Setting routine scheduled testing of property
10 within the contamination area.

11 Section 99. Effective date. This Act takes effect upon
12 becoming law.