

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 Section 6.5 as follows:

6 (225 ILCS 725/6.5 new)

7 Sec. 6.5. Extraction of natural gas from shale using  
8 hydraulic fracturing.

9 (a) Each owner or operator that begins extracting natural  
10 gas from shale shall report to the Department the information  
11 specified in subsections (b), (c), and (d) within 30 days after  
12 hydraulic fracturing stimulation. The Director shall adopt  
13 rules that require, prior to such hydraulic fracturing, the  
14 owner or operator to perform a suitable mechanical integrity  
15 test of the casing or of the casing-tubing annulus or other  
16 mechanical integrity test methods using procedures that are  
17 established by administrative rule.

18 (b) The owner or operator shall provide geological names, a  
19 geological description, and the depth of the formation into  
20 which well stimulation fluids were injected.

21 (c) The owner or operator shall provide detailed  
22 information to the Director concerning the base stimulation  
23 fluid source. The owner, operator, or service company shall

1 also provide to the Director, for each stage of the well  
2 stimulation program, the following:

3 (1) each stimulation fluid identified by additive  
4 type; and

5 (2) the chemical compound name and Chemical Abstracts  
6 Service (CAS) number for each additive used.

7 (d) The owner or operator shall also provide a detailed  
8 description of the well stimulation design, which shall  
9 include:

10 (1) the surface treating pressure range;

11 (2) the maximum injection treating pressure; and

12 (3) the estimated or calculated fracture length and  
13 fracture height.

14 (e) The Department shall post the information that it  
15 receives under subsections (b), (c), and (d) on its Internet  
16 website for a period of not less than 5 years.

17 (f) The injection of volatile organic compounds, such as  
18 benzene, toluene, ethylbenzene, and xylene, also known as BTEX  
19 compounds, or any petroleum distillates, into an underground  
20 source of drinking water is prohibited without exception. The  
21 proposed use of volatile organic compounds, such as benzene,  
22 toluene, ethylbenzene, and xylene, also known as BTEX  
23 compounds, or any petroleum distillates, for shale gas  
24 extraction using hydraulic fracturing into hydrocarbon bearing  
25 zones is only authorized with prior written approval of the  
26 Director. Produced water containing trace amounts of naturally

1 occurring petroleum distillates may be used as a stimulation  
2 fluid in hydrocarbon-bearing zones. Criteria for the  
3 authorization shall be established by the Department by rule.

4 (g) In addition to any other information that it must  
5 provide, the owner, operator, or service company shall provide  
6 the Director the following post well stimulation detail:

7 (1) the actual total well stimulation treatment volume  
8 pumped;

9 (2) detail as to each fluid stage pumped, including  
10 actual volume by fluid stage, proppant rate or  
11 concentration, actual chemical additive name and type;

12 (3) the actual surface pressure and rate at the end of  
13 each fluid stage and the actual flush volume, rate, and  
14 final pump pressure; and

15 (4) the instantaneous shut-in pressure, and the actual  
16 15-minute and 30-minute shut-in pressures when these  
17 pressure measurements are available.

18 (h) During the well stimulation operation, the owner or  
19 operator shall monitor and record the annulus pressure at the  
20 bradenhead. If intermediate casing has been set on the well  
21 being stimulated, then the pressure in the annulus between the  
22 intermediate casing and the production casing shall also be  
23 monitored and recorded. A continuous record of the annulus  
24 pressure during the well stimulation shall be submitted.

25 (i) If, during the stimulation, the annulus pressure  
26 increases by more than 500 pounds per square inch gauge (psig)

1 compared to the pressure immediately preceding the  
2 stimulation, then the owner or operator shall verbally notify  
3 the Director as soon as practical but no later than 24 hours  
4 following the incident and must complete in a timely manner any  
5 corrective action identified by the Department. The owner or  
6 operator shall include a report containing all details  
7 pertaining to the incident, including corrective actions  
8 taken.

9 (j) The owner or operator shall provide information to the  
10 Director as to the amounts, handling, and, if necessary,  
11 disposal at an identified appropriate disposal facility, or  
12 reuse of the well stimulation fluid load recovered during flow  
13 back, swabbing, or recovery from production facility vessels.  
14 Storage of that fluid shall be protective of an underground  
15 source of drinking water as demonstrated by the use of either  
16 tanks or lined pits.

17 (k) Nothing in this Section shall be construed to allow the  
18 Director to require the disclosure of trade secrets as defined  
19 in the Illinois Trade Secrets Act.

20 (l) The Department shall adopt all rules necessary to  
21 enforce this Section.

22 (m) This Section applies only to the extraction of natural  
23 gas from shale.