



Sen. Ira I. Silverstein

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LRB098 19587 MGM 56530 a

1 AMENDMENT TO SENATE BILL 3328

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 3328 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Hydraulic Fracturing Regulatory Act is  
5 amended by adding Section 1-137 as follows:

6 (225 ILCS 732/1-137 new)

7 Sec. 1-137. Mahomet Aquifer Task Force.

8 (a) The Department shall, on the effective date of this  
9 amendatory Act of the 98th General Assembly, suspend acceptance  
10 or approval of any and all new permits for high volume  
11 horizontal fracturing operations or horizontal drilling with  
12 fracturing operations and suspend any Departmental approval of  
13 disposal or burial of solid or liquid waste from oil, liquid  
14 natural gas, or natural gas drilling, fracturing, and recovery  
15 operations, including, but not limited to, coal bed methane  
16 toxins, fracturing chemicals, and other hydrocarbon products

1 and byproducts, in Class II injection wells, in landfills, or  
2 on private lands in any and all of the geographic areas of the  
3 counties of Cass, Champaign, DeWitt, Ford, Iroquois, Logan,  
4 Macon, Mason, McLean, Menard, Piatt, Tazewell, Vermilion, and  
5 Woodford, and any other geographic area determined to be  
6 situated over, or on top of, or located above the Mahomet  
7 aquifer in this State, including a one-mile setback from the  
8 entire perimeter of the aquifer.

9 (b) The Department shall work with the Illinois State  
10 Geological Survey, the Illinois State Water Survey, and the  
11 Mahomet Aquifer Consortium to determine the exact map locations  
12 of all areas in this State that are situated over, on top of,  
13 or located above the Mahomet aquifer, and over or located  
14 within the Sangamon River watershed, including a one-mile  
15 setback from the entire perimeter of the aquifer.

16 (c) There is hereby created a Mahomet Aquifer Task Force.  
17 The Mahomet Aquifer Task Force shall consist of the following  
18 members:

19 (1) one member appointed by the Director of the  
20 Illinois State Water Survey;

21 (2) one member appointed by the Director of Natural  
22 Resources;

23 (3) one member appointed by the Director of the  
24 Groundwater Advisory Council established under the  
25 Illinois Groundwater Protection Act;

26 (4) one member appointed by the Director of the

1 Illinois Environmental Protection Agency;

2 (5) one member appointed by the Illinois Groundwater  
3 Association;

4 (6) one member appointed by the East Central Illinois  
5 Regional Water Supply Planning Committee; and

6 (7) three members appointed by the Mahomet Aquifer  
7 Consortium.

8 The chairperson of the Mahomet Aquifer Task Force shall be  
9 the member appointed by the Illinois State Water Survey.

10 (d) The Task Force shall:

11 (1) meet once a month, either in person or through  
12 video conferencing or other technology via the Internet;

13 (2) operate without pay, but with all expenses paid for  
14 the functioning of the Task Force to be allocated by the  
15 Illinois State Water Survey;

16 (3) provide a fully researched report, based on a  
17 review of published literature on effects of high volume  
18 horizontal fracturing operations or horizontal drilling  
19 with fracturing operations on other aquifers and  
20 watersheds as described in subsection (f) of this Section;  
21 and

22 (4) fully investigate any and all adverse effects of  
23 high volume hydraulic fracturing operations or horizontal  
24 drilling with fracturing operations with regard to:

25 (A) oil and natural gas wells, Class II injection  
26 wells, industry infrastructure and pipelines, disposal

1           or burial of solid or liquid waste from oil, liquid  
2           natural gas, or natural gas drilling, fracturing, and  
3           recovery operations, including, but not limited to,  
4           coal bed methane toxins, fracturing chemicals, and  
5           other hydrocarbon products and byproducts, in Class II  
6           injection wells, in landfills, or on private lands, and  
7           the potential risks to the Mahomet aquifer and Sangamon  
8           River watershed;

9           (B) the environmental and public health effects on  
10          the Mahomet aquifer and Sangamon River watershed of  
11          spillage, leakage, fires, or blowouts of oil and  
12          natural gas, its containment, processing  
13          infrastructure, and transportation infrastructure;

14          (C) the environmental and public health effects on  
15          the Mahomet aquifer and Sangamon River watershed of  
16          spillage or leakage from open fracturing waste pits;

17          (D) the environmental damage and public health  
18          effects on the Mahomet aquifer and Sangamon River  
19          watershed of spillage, leakage, fires, or blowouts of  
20          hydraulic fracturing or fracturing fluids, chemicals,  
21          proppants, and byproducts, its containment, processing  
22          infrastructure, and transportation infrastructure; and

23          (E) the environmental damage and effects to water  
24          availability when drilling operators take water from  
25          the aquifer and Sangamon River watershed during a  
26          drought and during dry periods, as well as the overall

1           removal of water on a continuous basis from the aquifer  
2           or watershed.

3           (e) The Mahomet Aquifer Task Force shall write a report to  
4           be submitted to the General Assembly, the Governor, the  
5           Hydraulic Fracturing Task Force, the Illinois Emergency  
6           Management Agency, the Department of Natural Resources, the  
7           Groundwater Advisory Council established under the Illinois  
8           Groundwater Protection Act, the Illinois Environmental  
9           Protection Agency, the Illinois Groundwater Association, the  
10           East Central Illinois Regional Water Supply Planning  
11           Committee, the Mahomet Aquifer Consortium, the Department of  
12           Public Health, the Illinois State Water Survey, and to the  
13           public via the website of the Illinois State Water Survey and  
14           the website of the Department of Natural Resources, outlining  
15           its findings on the effects of high volume hydraulic fracturing  
16           operations or horizontal drilling with fracturing operations  
17           on the water resources drawn from and supplied by the Mahomet  
18           Aquifer and Sangamon River watershed, which shall include  
19           recommendations and conclusions about:

20           (1) the risks of drilling and extracting oil and  
21           natural gas in the aquifer or watershed region;

22           (2) the risks of drilling and operating Class II  
23           injection wells in the aquifer or watershed region and the  
24           disposal or burial of solid or liquid waste from oil,  
25           liquid natural gas, or natural gas drilling, fracturing,  
26           and recovery operations, including, but not limited to,

1       coal bed methane toxins, fracturing chemicals, and other  
2       hydrocarbon products and byproducts, in Class II injection  
3       wells, in landfills, or on private lands;

4           (3) the use of fracturing waste or wastewater open pits  
5       in the aquifer or watershed region;

6           (4) the risks of spillage and leakage resulting in  
7       water contamination from oil and natural gas wells in the  
8       aquifer or watershed region;

9           (5) bonding requirements for oil and natural gas  
10       operations and infrastructure in the aquifer or watershed  
11       region;

12           (6) insurance requirements for oil and natural gas  
13       operations and infrastructure in aquifer or watershed  
14       region;

15           (7) best practices for the oil and natural gas industry  
16       in the aquifer or watershed region; and

17           (8) any and all recommendations related to maintaining  
18       the viability of the aquifer and Sangamon River watershed,  
19       and the ability of the aquifer and Sangamon River watershed  
20       to supply a safe water supply as related to the oil and  
21       natural gas industry and their operations.

22       (f) The report shall include recommendations to the General  
23       Assembly and the Governor for legislation to protect the  
24       Mahomet aquifer and the Sangamon River watershed, from any  
25       adverse effects of blowouts, spillage, leakage, and damages  
26       associated with oil and natural gas wells, drilling, Class II

1 injection wells, waste and wastewater containment, pipelines,  
2 infrastructure, chemicals, proppants, and byproducts, and the  
3 disposal or burial of solid or liquid waste from oil, liquid  
4 natural gas, or natural gas drilling, fracturing, and recovery  
5 operations, including, but not limited to, coal bed methane  
6 toxins, fracturing chemicals, and other hydrocarbon products  
7 and byproducts, in Class II injection wells, in landfills, or  
8 on private lands.

9 (g) The Mahomet Aquifer Task Force shall submit its report  
10 on or before January 1, 2016. The Mahomet Aquifer Task Force is  
11 disbanded on July 1, 2016. "