



Sen. Chapin Rose

Filed: 5/17/2018

10000HB4746sam001

LRB100 16050 XWW 40387 a

1 AMENDMENT TO HOUSE BILL 4746

2 AMENDMENT NO. _____. Amend House Bill 4746 by replacing
3 everything after the enacting clause with the following:

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.

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

2 (3) All owners and operators of public water supplies,
3 community water supplies, and non-community water
4 supplies.

5 As soon as practicable, but no later than 3 months after
6 the effective date of this amendatory Act of the 100th General
7 Assembly, the Department shall adopt rules establishing the
8 minimum criteria for an unintentional release of natural gas
9 that would constitute an incident for purposes of this Section.
10 In determining what constitutes an incident, the Department
11 shall consider, but is not limited to, the following criteria:

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

14 (2) the duration of the natural gas incident before it
15 was resolved; and

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

18 The rules shall be at least as stringent as the definition
19 of "incident" as promulgated by the United States Secretary of
20 Transportation under 49 CFR 191.3(1)(iii). The Department
21 shall maintain the rules so that the rules are at least as
22 stringent as the definition of "incident" from time to time in
23 effect under 49 CFR 191.3(1)(iii).

24 In addition, all private residents, owners and operators of
25 private water systems, or businesses, including agricultural
26 operations, located within one and a half miles of the

1 boundaries of the natural gas incident must be notified as soon
2 as practically possible.

3 Notices to private residents and businesses must be
4 attempted through verbal communication, whether in person or by
5 telephone. If verbal communication cannot be established, a
6 physical notice must be posted on the premises of the private
7 residence or business in a conspicuous location where it is
8 easily seen by the inhabitants of the private residence or
9 employees at the business. The physical notice shall carry the
10 following text in at least 18-point font: "NATURAL GAS INCIDENT
11 NOTICE - READ IMMEDIATELY". Notices required under this Section
12 shall be provided whether or not the threat of exposure has
13 been eliminated. Both verbal and physical notices shall include
14 the location of the natural gas incident, the date and time
15 that the natural gas incident was discovered, contact
16 information of the operator of the natural gas storage field,
17 and any applicable safety information.

18 The operator of a natural gas storage field has a
19 continuous and ongoing obligation to further notify the
20 affected parties as necessary if it is determined that the
21 boundaries of the natural gas incident have increased, moved,
22 or shifted. This notice requirement shall be construed as
23 broadly as possible.

24 (225 ILCS 725/7.6 new)

25 Sec. 7.6. Gas storage field inspection. The Department

1 shall conduct annual inspections at all gas storage fields
2 lying on the footprint of a Sole Source Aquifer designated as
3 such in 2015 by the United States Environmental Protection
4 Agency in the State to ensure that there are no infrastructure
5 deficiencies or failures that could pose any harm to public
6 health. The owner of the gas storage field shall cover the
7 costs of the annual inspection."