

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Dylan Amlin Chicago, IL 60640

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

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Sincerely, Dylan Busser Chicago, IL 60647

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Dylan Busser Chicago, IL 60647

## Fair Economy Illinois

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Sincerely, E Zemin Champaign, IL 61821



## Fair Economy Illinois

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Sincerely, Edith Villavicencio New York, IL 10003

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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Sincerely, Elias Friedman Chicago, IL 60605

## Fair Economy Illinois

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Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

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Sincerely, Elizabeth Patula Makanda, IL 62958

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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Sincerely, Elizabeth Patula Makanda, IL 62958

## Fair Economy Illinois

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Sincerely, Elizabeth Patula Makanda, IL 62958

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Sincerely, Emily Huang Chicago, IL 60637

## Fair Economy Illinois

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Sincerely, Erik Ontiveros Chicago, IL 60605

## Fair Economy Illinois

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Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

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Sincerely, Erik Ontiveros Chicago, IL 60605



## Fair Economy Illinois

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Sincerely, Francis Beach Chicago, IL 60637

## Fair Economy Illinois

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Sincerely, Francisco Spaulding Chicago, IL 60637

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Sincerely, Francisco Spaulding Chicago, IL 60637

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Sincerely, Frank Pettis Chicago, IL 60605

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Gerry Hoffman Chicago, IL 60657

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public.

Sincerely, Gerson Ramirez 4414 N. Christiana Chicago, IL 60625

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public.

Sincerely, Gerson Ramirez 4414 N. Christiana Chicago, IL 60625



## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Gianna Chacon Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: 1. “Competitive value” is not defined in the various administrative code definitions. 2. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: 1. Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. 2. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. 3. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: 1. “Competitive value” must be fully defined within the rulemaking. 2. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. 3. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment.

Sincerely, Gus Novoa Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment.

Sincerely, Hannah Campbell Gustafson Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Jady YTolda chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

### Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, James Wauer Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, James Wauer Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, James Wauer Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Jasha Sommer-Simpson Chicago, IL 60615



## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment.

Sincerely, jd paulus wheaton, IL 60187

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

### Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Jeff Engstrom Urbana, IL 61801

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Jeff Engstrom Urbana, IL 61801

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Jessica Green Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment.

Sincerely, Jill Paulus Wheaton, IL 60187

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment.

Sincerely, Jill Paulus Wheaton, IL 60187

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

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Sincerely, John Gamino Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, John Hunt Chicago, IL 60641



## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Kaijie Wang Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Kaijie Wang Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

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Sincerely, Kaijie Wang Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

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Sincerely, Kaitlon Busser Dixon, IL 61021

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Kathryn Chapman Hamburg, IL 62045

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Kathy Machaj Chicago, IL 60607

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment.

Sincerely, Kelly Taylor Mt. Vernon, IL 62864

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment.

Sincerely, Kelsey Bratanch itasca, IL 60143



## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Kelsey Chicago, IL 60631

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

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Sincerely, Ken Buck Naperville, IL 60540

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Ken Buck Naperville, IL 60540

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

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Sincerely, Keri Curtis Peru, IL 61354

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

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Sincerely, Kiehlor Mack Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

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Sincerely, Kiehlor Mack Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

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Sincerely, Lavine Hemlani Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

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Sincerely, Linda Green 422 East 450 North Rd MORRISONVILLE, IL 62546



## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

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Sincerely, Linda Green 422 East 450 North Rd MORRISONVILLE, IL 62546

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment.

Sincerely, Linda Green 422 East 450 North Rd MORRISONVILLE, IL 62546

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment.

Sincerely, Lindsay Paulus Wheaton , IL 60187

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment.

Sincerely, Lindsay Paulus Wheaton , IL 60187

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment.

Sincerely, Lindsay Paulus Wheaton , IL 60187

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Liza Pono Chicago, IL 60616

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Louis Clark Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Luke Dobbs Chicago, IL 60605



## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Luz Magdaleno Chicago, IL 60632

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Luz Magdaleno Chicago, IL 60632

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Luz Magdaleno Chicago, IL 60632

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment.

Sincerely, M Alan Wurth Red Bud, IL 62278

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, maayan olshan Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Maddison Davis Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Maheema Haque Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Maheema Haque Chicago, IL 60637



## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Mansi Kathuria Chicago, IL 60647

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment.

Sincerely, Marissa Godlewski Carbondale, IL 62901

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment.

Sincerely, Mary Ellen Barbezat Elgin, IL 60120

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment.

Sincerely, Mary Ellen Barbezat Elgin, IL 60120

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

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Sincerely, Mary Ellen Barbezat Elgin, IL 60120

## Fair Economy Illinois

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Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

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Sincerely, Mary Ellen Barbezat Elgin, IL 60120

## Fair Economy Illinois

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Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

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Sincerely, Mary Ellen Barbezat Elgin, IL 60120

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

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Sincerely, Mary Trimmer Granite City, IL 62040



## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Mary Trimmer Granite City, IL 62040

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Maryann Condren Naperville, IL 60540

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Maryann Condren Naperville, IL 60540

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment.

Sincerely, Maryann Condren Naperville, IL 60540

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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Sincerely, Maryann Condren Naperville, IL 60540

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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Sincerely, Matt Chappell Tuscola, IL 61953

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

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Sincerely, Matt Chappell Tuscola, IL 61953

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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Sincerely, Matt Steffen Lake Zurich, IL 60047



## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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Sincerely, Matt Steffen Lake Zurich, IL 60047

## Fair Economy Illinois

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Sincerely, Matthew Raigosa Chicago, IL 60608

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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Sincerely, Micah Bennett Marion, IL 62959

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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Sincerely, Min Li Naperville, IL 60564

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

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Sincerely, Min Li Naperville, IL 60564

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Min Li Naperville, IL 60564

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Min Li Naperville, IL 60564

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

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Sincerely, Miranda Bailey 1822 Park Ave Alton, IL 62002



## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Molly Blondell Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Navroz Tharani Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Noah Hellermann New York, IL 11218

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Nora Helfand Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Nour Abdelmonem Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Nour Abdelmonem Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Padgham Larson Galena, IL 61036

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Paloma Delgadillo Plano, IL 75075



## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

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Sincerely, Paloma Delgadillo Plano, TX 75075

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

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Sincerely, Pamela J. Richart 1645 W. Jarvis Chicago, IL 60626

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

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Sincerely, Pamela J. Richart 1645 W. Jarvis Chicago, IL 60626

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

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Sincerely, Pamela J. Richart 1645 W. Jarvis Chicago, IL 60626

## Fair Economy Illinois

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Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

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Sincerely, Patricia Simpson Philo, IL 61864

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Patrick Dexter Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: 1. “Competitive value” is not defined in the various administrative code definitions. 2. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: 1. Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. 2. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. 3. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: 1. “Competitive value” must be fully defined within the rulemaking. 2. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. 3. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment.

Sincerely, Patti Walker RR#2 (Box42a) Karbers Ridge, IL 62955

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Paul Kim Chicago, IL 60637



## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Paul Papoutzz Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Paulo Nacimiento Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Peter Dompke Belleville, IL 62221

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Preethi Sekhar Naperville, IL 60564

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Preethi Sekhar Naperville, IL 60564

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Rachael Dompke Belleville, IL 62221

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Rachel Katz Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Rachel Katz Chicago, IL 60615



## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Rachel Pinker Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

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Sincerely, Rachel Pinker Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

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Sincerely, Raegan N Sheedy 426 East 450 North Rd MORRISONVILLE, IL 62546

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment.

Sincerely, Raegan N Sheedy 426 East 450 North Rd MORRISONVILLE, IL 62546

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

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Sincerely, Raj Kapoor Oak Park, IL 60302

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Raj Kapoor Oak Park, IL 60302

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

### Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

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Sincerely, Raj Kapoor Oak Park, IL 60302

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: 1. “Competitive value” is not defined in the various administrative code definitions. 2. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: 1. Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. 2. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. 3. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: 1. “Competitive value” must be fully defined within the rulemaking. 2. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. 3. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment.

Sincerely, Raj Kapoor Oak Park, IL 60302



## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: 1. “Competitive value” is not defined in the various administrative code definitions. 2. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: 1. Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. 2. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. 3. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: 1. “Competitive value” must be fully defined within the rulemaking. 2. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. 3. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment.

Sincerely, Raj Kapoor Oak Park, IL 60302

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

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Sincerely, Raj Kapoor Oak Park, IL 60302

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

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Sincerely, Ramon Valladarez Chicago, IL 60642

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Rebecca Foster Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Reed Mershon Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment.

Sincerely, Robert Yancey 570 Sorento Ave Sorento, IL 62086

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Roberta Weiner Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: 1. “Competitive value” is not defined in the various administrative code definitions. 2. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: 1. Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. 2. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. 3. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: 1. “Competitive value” must be fully defined within the rulemaking. 2. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. 3. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment.

Sincerely, Rohit Satishchandra University of Chicago (5630 S. University Avenue) Chicago, IL 60637



## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

### Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Ron Yehoshua Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Ron Yehoshua Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Sam Vexler Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, sam zacher Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Sandeep Malladi Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Sara Buck Chicago, IL 60640

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment.

Sincerely, Sarah Kindt Chicago, IL 60607

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Sarah Quesnell Chicago, IL 60605



## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Sarah Quesnell Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Sarah Quesnell Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Schuyler Sanderson Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Scott Condren Chicago, IL 60608

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Scott Condren Chicago, IL 60608

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Scott Condren Chicago, IL 60608

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Scott Condren Chicago, IL 60608

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Shaden Amara Naperville, IL 60564



## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Shaden Amara Naperville, IL 60564

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Shaden Amara Naperville, IL 60564

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

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Sincerely, Shaden Amara Naperville, IL 60564

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

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Sincerely, Shawn Mukherji Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Shreya Kalva Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Shreya Kalva Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Shreya Kalva Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

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Sincerely, Simone Serhan Chicago, IL 60605



## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Simone Serhan Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Simone Serhan Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment.

Sincerely, sonja chan 944 w walnut st kankakee, IL 60901

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment.

Sincerely, sonja chan 944 w walnut st kankakee, IL 60901

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Sophia Johnson Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Stanley Archacki Westmont, IL 60559

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Stanley Archacki Westmont, IL 60559

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

### Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Ta Promlee Chicago, IL 60645



## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Tim Dompke Collinsville, IL 62224

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Tim Law Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Tim Law Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Tim Law Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

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Sincerely, Tim Law Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

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Sincerely, Tommy Talley Chicago, IL 60617

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Tybee McLaughlin Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Tybee McLaughlin Chicago, IL 60605



## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

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Sincerely, Tyler Hansen Oak Park, IL 60304

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Veronica Murashige Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Westin Campo Chicago, IL 60608

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, William Thomas Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, William Toole Godfrey, IL 62035

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. My response is: Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment.

Sincerely, Xiomara Ramirez 4414 N. Christiana Chicago, IL 60625

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. My response is: Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment.

Sincerely, Xiomara Ramirez 4414 N. Christiana Chicago, IL 60625

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

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Sincerely, Yijian Li Naperville, IL 60564



## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Yijian Li Naperville, IL 60564

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Young-In Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of “trade secret” if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: “Competitive value” is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: “Competitive value” must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment. The US EPA EPCRA regulations at 40 CFR 350 subpart A provide valuable guidance for fleshing out the language of the Act, in ways that are entirely consistent with it. We recommend in particular that the Department review the detailed showing required in 40 CFR 350.7, and import those requirements here as appropriate.

Sincerely, Young-In Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

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Sincerely, Zach Taylor Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

The monetary value to the corporation of the chemical cocktail used in the fracking process should be of little to no value when compared to the environmental safety and the well being of the public. Furthermore, the future ramifications of the degradation of the natural resources upon the quality of life for generations to come should have a higher "competitive value" than the immediate income potential for these same corporations. Stop prostituting our children's future. Shelley

Sincerely, Shelley Brown Decatur, IL 62522

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

The monetary value to the corporation of the chemical cocktail used in the fracking process should be of little to no value when compared to the environmental safety and the well being of the public. Furthermore, the future ramifications of the degradation of the natural resources upon the quality of life for generations to come should have a higher "competitive value" than the immediate income potential for these same corporations. Stop prostituting our children's future. Shelley

Sincerely, Shelley Brown Decatur, IL 62522

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

### Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

The term "Competitive Value" is not defined but affords fracking operators the right to withhold chemical disclosure. How does this affect me: Health and well-being. Relevant parts of the Proposed Administrative Rules: 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret Section 245.720(d) of the Proposed Hydraulic Fracturing Regulatory Act administrative rules, states: IDNR allows permit applicants to withhold chemical disclosure information under a claim of "trade secret" if they can establish that (1) the information has not been published, disseminated, or otherwise become a matter of general public knowledge, and (2) the information has competitive value. Problems with this section: "Competitive value" is not defined in the various administrative code definitions. There is no IDNR administrative criteria provided which is the basis of "competitive value" other than, apparently, a self-identified one provided by the fracking operator. Why these are problems: Undefined and catch-all allowances for generic "competitive value" open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria "competitive value". The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on "competitive value" automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. Revisions Needed: "Competitive value" must be fully defined within the rulemaking. Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between "competitive value" and the public right to know must be decided on the inherent protection of the citizens and the environment.

Sincerely, Alicia Klepfer 5121 S. Kenwood Ave. Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

This is in regards to Section 245.720(d): The problem with this section is “competitive value” is not defined in the various administrative code definitions. In addition, there is no IDNR administrative criteria provided which is the basis of “competitive value” other than, apparently, a selfidentified one provided by the fracking operator. Undefined and catch-all allowances for generic “competitive value” open the door for any and all dangerous chemicals to be undisclosed simply based on the operators desire to do so. Individual ingredients in the various chemical products used during hydraulic fracturing cannot be considered trade secrets under the criteria “competitive value”. The regulations should be revised to state that information on file with IDNR must be disclosed to the public. Raising such an allowance for a fracking operator to not disclose potentially dangerous chemicals based on “competitive value” automatically gives them more power than the basic claim of the law which is to protect the environment of Illinois. “Competitive value” must be fully defined within the rulemaking. Also, Competitive value must not in any way supersede a determination of the public right to know and the basic legislative and Illinois Constitutional provision of a healthy and safe environment for its citizens. Any conflict between “competitive value” and the public right to know must be decided on the inherent protection of the citizens and the environment.

Sincerely, Janet McDonnell 1322 North Vail Avenue Arlington Heights, IL 60004



## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

Section 245.720 Department Publication of Chemical Disclosures and Claims of Trade Secret

when will the madness stop....we deserve to know that the environment is being protected from such insidious abuse of those dangerous chemicals.....(isn't that your job IDNR) have they not heard about climate change.. Please stop the madness

Sincerely, Marcia hillier 400 Marcella trace (400 mandella) harrisburg, IL 62946

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

### Section 245.730 Trade Secret Disclosure to Health Professional

Dear IDNR, The proposed language concerning disclosure of trade secret-protected information to health professionals is neither consistent with the statute nor protective of the public. Right to Know - Section 1-77(l) of the Act is clear that information shall be provided, as needed, to health professionals who demonstrate a need for it. Yet, section 245.730 of the Rules diminishes the language of the Act, stating only that the Department "may" provide information to health professionals who demonstrate a need for it. Limitation to "normal business hours. - Subsection 245.730(b)(1) of the Rules states, in the event of an emergency, that a health professional may call the Department during "normal business hours." For an emergency that occurs after hours, the Rules suggest calling the trade secret holder. This is inadequate. The Department should provide a 24- hour hotline for emergency calls pursuant to this section. "Trade Secret Holder." - Subsection 245.730(b)(2) of the Rules allows a health professional to seek the necessary information from a "trade secret holder," but there is no means provided for the health professional to know who the trade secret holder is, or what phone number to use to reach it. Furthermore, this provision is found nowhere in the statute, seemingly adding another unnecessary burden on the health professional. Lack of a time limit for the Department's response. - The Department should abide by the same 3-hour time limit for a response that applies to trade secret holders pursuant to 245.730(b)(2). Disclosure of names receiving trade secret information. - Subsection 245.730(e) of the rules requires that health providers report to the trade secret holder the names of persons to whom the protected information was disclosed. This requirement is found nowhere in the statute. It is inappropriate to burden health professionals with such an obligation in the absence of statutory authorization to do so. You must rewrite the section to comply with the strongest interpretation of 1-77 of the Statute including 24-hour accessibility. Do not require that health providers report names of persons to whom protected information was disclosed as this was not required in the statute. Kurt

Sincerely, Kurt Brian Witteman 425 S Wabash Ave WBRH 41 Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

### Section 245.730 Trade Secret Disclosure to Health Professional

Dear IDNR, The proposed language concerning disclosure of trade secret-protected information to health professionals is neither consistent with the statute nor protective of the public. Right to Know - Section 1-77(l) of the Act is clear that information shall be provided, as needed, to health professionals who demonstrate a need for it. Yet, section 245.730 of the Rules diminishes the language of the Act, stating only that the Department "may" provide information to health professionals who demonstrate a need for it. Limitation to "normal business hours. - Subsection 245.730(b)(1) of the Rules states, in the event of an emergency, that a health professional may call the Department during "normal business hours." For an emergency that occurs after hours, the Rules suggest calling the trade secret holder. This is inadequate. The Department should provide a 24- hour hotline for emergency calls pursuant to this section. "Trade Secret Holder." - Subsection 245.730(b)(2) of the Rules allows a health professional to seek the necessary information from a "trade secret holder," but there is no means provided for the health professional to know who the trade secret holder is, or what phone number to use to reach it. Furthermore, this provision is found nowhere in the statute, seemingly adding another unnecessary burden on the health professional. Lack of a time limit for the Department's response. - The Department should abide by the same 3-hour time limit for a response that applies to trade secret holders pursuant to 245.730(b)(2). Disclosure of names receiving trade secret information. - Subsection 245.730(e) of the rules requires that health providers report to the trade secret holder the names of persons to whom the protected information was disclosed. This requirement is found nowhere in the statute. It is inappropriate to burden health professionals with such an obligation in the absence of statutory authorization to do so. You must rewrite the section to comply with the strongest interpretation of 1-77 of the Statute including 24-hour accessibility. Do not require that health providers report names of persons to whom protected information was disclosed as this was not required in the statute. Kurt

Sincerely, Kurt Brian Witteman 425 S Wabash Ave WBRH 41 Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

### Section 245.730 Trade Secret Disclosure to Health Professional

Subpart G: Chemical Disclosure; Trade Secrets (245.700-245.730) 245.730 Trade Secret Disclosure to Health Professional The proposed language concerning disclosure of trade secret-protected information to health professionals is neither consistent with the statute nor protective of the public. Right to Know. Section 1-77(l) of the Act is clear that information shall be provided, as needed, to health professionals who demonstrate a need for it. Yet, section 245.730 of the Rules diminishes the language of the Act, stating only that the Department “may” provide information to health professionals who demonstrate a need for it. Limitation to “normal business hours.” Subsection 245.730(b)(1) of the Rules states, in the event of an emergency, that a health professional may call the Department during “normal business hours.” For an emergency that occurs after hours, the Rules suggest calling the trade secret holder. This is inadequate. The Department should provide a 24- hour hotline for emergency calls pursuant to this section. “Trade Secret Holder.” Subsection 245.730(b)(2) of the Rules allows a health professional to seek the necessary information from a “trade secret holder,” but there is no means provided for the health professional to know who the trade secret holder is, or what phone number to use to reach it. Furthermore, this provision is found nowhere in the statute, seemingly adding another unnecessary burden on the health professional. Lack of a time limit for the Department’s response. The Department should abide by the same 3-hour time limit for a response that applies to trade secret holders pursuant to 245.730(b)(2). Disclosure of names receiving trade secret information. Subsection 245.730(e) of the rules requires that health providers report to the trade secret holder the names of persons to whom the protected information was disclosed. This requirement is found nowhere in the statute. It is inappropriate to burden health professionals with such an obligation in the absence of statutory authorization to do so. Revisions Needed: Rewrite the section to comply with the strongest interpretation of 1-77 of the Statute including 24-hour accessibility. Do not require that health providers report names of persons to whom protected information was disclosed as this was not required in the statute.

Sincerely, B. E. Murphy 458 Tahoe Park Forest, IL 60466

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

### Section 245.730 Trade Secret Disclosure to Health Professional

Subpart G: Chemical Disclosure; Trade Secrets (245.700-245.730) 245.730 Trade Secret Disclosure to Health Professional The proposed language concerning disclosure of trade secret-protected information to health professionals is neither consistent with the statute nor protective of the public. Right to Know. Section 1-77(l) of the Act is clear that information shall be provided, as needed, to health professionals who demonstrate a need for it. Yet, section 245.730 of the Rules diminishes the language of the Act, stating only that the Department “may” provide information to health professionals who demonstrate a need for it. Limitation to “normal business hours.” Subsection 245.730(b)(1) of the Rules states, in the event of an emergency, that a health professional may call the Department during “normal business hours.” For an emergency that occurs after hours, the Rules suggest calling the trade secret holder. This is inadequate. The Department should provide a 24- hour hotline for emergency calls pursuant to this section. “Trade Secret Holder.” Subsection 245.730(b)(2) of the Rules allows a health professional to seek the necessary information from a “trade secret holder,” but there is no means provided for the health professional to know who the trade secret holder is, or what phone number to use to reach it. Furthermore, this provision is found nowhere in the statute, seemingly adding another unnecessary burden on the health professional. Lack of a time limit for the Department’s response. The Department should abide by the same 3-hour time limit for a response that applies to trade secret holders pursuant to 245.730(b)(2). Disclosure of names receiving trade secret information. Subsection 245.730(e) of the rules requires that health providers report to the trade secret holder the names of persons to whom the protected information was disclosed. This requirement is found nowhere in the statute. It is inappropriate to burden health professionals with such an obligation in the absence of statutory authorization to do so. Revisions Needed: Rewrite the section to comply with the strongest interpretation of 1-77 of the Statute including 24-hour accessibility. Do not require that health providers report names of persons to whom protected information was disclosed as this was not required in the statute.

Sincerely, B. E. Murphy 458 Tahoe Park Forest, IL 60466

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

### Section 245.730 Trade Secret Disclosure to Health Professional

Subpart G: Chemical Disclosure; Trade Secrets (245.700-245.730) 245.730 Trade Secret Disclosure to Health Professional The proposed language concerning disclosure of trade secret-protected information to health professionals is neither consistent with the statute nor protective of the public. Right to Know. Section 1-77(l) of the Act is clear that information shall be provided, as needed, to health professionals who demonstrate a need for it. Yet, section 245.730 of the Rules diminishes the language of the Act, stating only that the Department “may” provide information to health professionals who demonstrate a need for it. Limitation to “normal business hours.” Subsection 245.730(b)(1) of the Rules states, in the event of an emergency, that a health professional may call the Department during “normal business hours.” For an emergency that occurs after hours, the Rules suggest calling the trade secret holder. This is inadequate. The Department should provide a 24- hour hotline for emergency calls pursuant to this section. “Trade Secret Holder.” Subsection 245.730(b)(2) of the Rules allows a health professional to seek the necessary information from a “trade secret holder,” but there is no means provided for the health professional to know who the trade secret holder is, or what phone number to use to reach it. Furthermore, this provision is found nowhere in the statute, seemingly adding another unnecessary burden on the health professional. Lack of a time limit for the Department’s response. The Department should abide by the same 3-hour time limit for a response that applies to trade secret holders pursuant to 245.730(b)(2). Disclosure of names receiving trade secret information. Subsection 245.730(e) of the rules requires that health providers report to the trade secret holder the names of persons to whom the protected information was disclosed. This requirement is found nowhere in the statute. It is inappropriate to burden health professionals with such an obligation in the absence of statutory authorization to do so. Revisions Needed: Rewrite the section to comply with the strongest interpretation of 1-77 of the Statute including 24-hour accessibility. Do not require that health providers report names of persons to whom protected information was disclosed as this was not required in the statute.

Sincerely, B. E. Murphy 458 Tahoe Park Forest, IL 60466

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

### Section 245.730 Trade Secret Disclosure to Health Professional

Subpart G: Chemical Disclosure; Trade Secrets (245.700-245.730) 245.730 Trade Secret Disclosure to Health Professional The proposed language concerning disclosure of trade secret-protected information to health professionals is neither consistent with the statute nor protective of the public. Right to Know. Section 1-77(l) of the Act is clear that information shall be provided, as needed, to health professionals who demonstrate a need for it. Yet, section 245.730 of the Rules diminishes the language of the Act, stating only that the Department “may” provide information to health professionals who demonstrate a need for it. Limitation to “normal business hours.” Subsection 245.730(b)(1) of the Rules states, in the event of an emergency, that a health professional may call the Department during “normal business hours.” For an emergency that occurs after hours, the Rules suggest calling the trade secret holder. This is inadequate. The Department should provide a 24- hour hotline for emergency calls pursuant to this section. “Trade Secret Holder.” Subsection 245.730(b)(2) of the Rules allows a health professional to seek the necessary information from a “trade secret holder,” but there is no means provided for the health professional to know who the trade secret holder is, or what phone number to use to reach it. Furthermore, this provision is found nowhere in the statute, seemingly adding another unnecessary burden on the health professional. Lack of a time limit for the Department’s response. The Department should abide by the same 3-hour time limit for a response that applies to trade secret holders pursuant to 245.730(b)(2). Disclosure of names receiving trade secret information. Subsection 245.730(e) of the rules requires that health providers report to the trade secret holder the names of persons to whom the protected information was disclosed. This requirement is found nowhere in the statute. It is inappropriate to burden health professionals with such an obligation in the absence of statutory authorization to do so. Revisions Needed: Rewrite the section to comply with the strongest interpretation of 1-77 of the Statute including 24-hour accessibility. Do not require that health providers report names of persons to whom protected information was disclosed as this was not required in the statute.

Sincerely, B. E. Murphy 458 Tahoe Park Forest, IL 60466

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

### Section 245.730 Trade Secret Disclosure to Health Professional

The proposed language concerning disclosure of trade secret-protected information to health professionals is neither consistent with the statute nor protective of the public. Right to Know. Section 1-77(l) of the Act is clear that information shall be provided, as needed, to health professionals who demonstrate a need for it. Yet, section 245.730 of the Rules diminishes the language of the Act, stating only that the Department “may” provide information to health professionals who demonstrate a need for it. Limitation to “normal business hours.” Subsection 245.730(b)(1) of the Rules states, in the event of an emergency, that a health professional may call the Department during “normal business hours.” For an emergency that occurs after hours, the Rules suggest calling the trade secret holder. This is inadequate. The Department should provide a 24- hour hotline for emergency calls pursuant to this section. “Trade Secret Holder.” Subsection 245.730(b)(2) of the Rules allows a health professional to seek the necessary information from a “trade secret holder,” but there is no means provided for the health professional to know who the trade secret holder is, or what phone number to use to reach it. Furthermore, this provision is found nowhere in the statute, seemingly adding another unnecessary burden on the health professional. Lack of a time limit for the Department’s response. The Department should abide by the same 3-hour time limit for a response that applies to trade secret holders pursuant to 245.730(b)(2). Disclosure of names receiving trade secret information. Subsection 245.730(e) of the rules requires that health providers report to the trade secret holder the names of persons to whom the protected information was disclosed. This requirement is found nowhere in the statute. It is inappropriate to burden health professionals with such an obligation in the absence of statutory authorization to do so. Revisions Needed: Rewrite the section to comply with the strongest interpretation of 1-77 of the Statute including 24-hour accessibility. Do not require that health providers report names of persons to whom protected information was disclosed as this was not required in the statute.

Sincerely, Adriana Caballero Oak Park, IL 60302



## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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Sincerely, Alen Makhmudov Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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Sincerely, Alen Makhmudov Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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Sincerely, Alonzo Cummins Chicago, IL 60612

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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Sincerely, Alonzo Cummins Chicago, IL 60612

## Fair Economy Illinois

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Sincerely, Alonzo Cummins Chicago, IL 60612

## Fair Economy Illinois

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Sincerely, Amelia Dmouska Chciago, IL 60637

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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Sincerely, Amelia Dmouska Chciago, IL 60637

## Fair Economy Illinois

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Sincerely, Ammar Kalimullah Chicago, IL 60637



## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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Sincerely, Ammar Kalimullah Chicago, IL 60637

## Fair Economy Illinois

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Sincerely, Ammar Kalimullah Chicago, IL 60637

## Fair Economy Illinois

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Sincerely, Angela Li Chicago, IL 60637

## Fair Economy Illinois

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Sincerely, Anica Washington Chicago, IL 60619

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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Sincerely, Anna Ronnen Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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The proposed language concerning disclosure of trade secret-protected information to health professionals is neither consistent with the statute nor protective of the public. Right to Know. Section 1-77(l) of the Act is clear that information shall be provided, as needed, to health professionals who demonstrate a need for it. Yet, section 245.730 of the Rules diminishes the language of the Act, stating only that the Department “may” provide information to health professionals who demonstrate a need for it. Limitation to “normal business hours.” Subsection 245.730(b)(1) of the Rules states, in the event of an emergency, that a health professional may call the Department during “normal business hours.” For an emergency that occurs after hours, the Rules suggest calling the trade secret holder. This is inadequate. The Department should provide a 24- hour hotline for emergency calls pursuant to this section. “Trade Secret Holder.” Subsection 245.730(b)(2) of the Rules allows a health professional to seek the necessary information from a “trade secret holder,” but there is no means provided for the health professional to know who the trade secret holder is, or what phone number to use to reach it. Furthermore, this provision is found nowhere in the statute, seemingly adding another unnecessary burden on the health professional. Lack of a time limit for the Department’s response. The Department should abide by the same 3-hour time limit for a response that applies to trade secret holders pursuant to 245.730(b)(2). Disclosure of names receiving trade secret information. Subsection 245.730(e) of the rules requires that health providers report to the trade secret holder the names of persons to whom the protected information was disclosed. This requirement is found nowhere in the statute. It is inappropriate to burden health professionals with such an obligation in the absence of statutory authorization to do so. Revisions Needed: Rewrite the section to comply with the strongest interpretation of 1-77 of the Statute including 24-hour accessibility. Do not require that health providers report names of persons to whom protected information was disclosed as this was not required in the statute.

Sincerely, Anna Ronnen Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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Sincerely, Anna Ronnen Chicago, IL 60637



## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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Sincerely, Anna Ronnen Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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Sincerely, Ashish Kathuria Vernon Hills, IL 60601

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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Sincerely, Ashley Seymour Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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Sincerely, Benjamin Boyajian Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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Sincerely, Benjamin Chametzky Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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Sincerely, Beth Rempe Champaign, IL 61820

## Fair Economy Illinois

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Sincerely, Bianca Chamusco Chicago, IL 60615

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## Fair Economy Illinois

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Sincerely, Bonnie Krodel Westmont, IL 60559

## Fair Economy Illinois

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Sincerely, Brandi Madrid Chicago, IL 60640

## Fair Economy Illinois

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Sincerely, Brian Menzel Chicago, IL 60608

## Fair Economy Illinois

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Sincerely, Britni Austin Chicago, IL 60605

## Fair Economy Illinois

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Sincerely, Carla Hunter Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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Sincerely, Carolyn Treadway Normal, IL 61761

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

### Section 245.730 Trade Secret Disclosure to Health Professional

The proposed language concerning disclosure of trade secret-protected information to health professionals is neither consistent with the statute nor protective of the public. Right to Know. Section 1-77(l) of the Act is clear that information shall be provided, as needed, to health professionals who demonstrate a need for it. Yet, section 245.730 of the Rules diminishes the language of the Act, stating only that the Department “may” provide information to health professionals who demonstrate a need for it. Limitation to “normal business hours.” Subsection 245.730(b)(1) of the Rules states, in the event of an emergency, that a health professional may call the Department during “normal business hours.” For an emergency that occurs after hours, the Rules suggest calling the trade secret holder. This is inadequate. The Department should provide a 24- hour hotline for emergency calls pursuant to this section. “Trade Secret Holder.” Subsection 245.730(b)(2) of the Rules allows a health professional to seek the necessary information from a “trade secret holder,” but there is no means provided for the health professional to know who the trade secret holder is, or what phone number to use to reach it. Furthermore, this provision is found nowhere in the statute, seemingly adding another unnecessary burden on the health professional. Lack of a time limit for the Department’s response. The Department should abide by the same 3-hour time limit for a response that applies to trade secret holders pursuant to 245.730(b)(2). Disclosure of names receiving trade secret information. Subsection 245.730(e) of the rules requires that health providers report to the trade secret holder the names of persons to whom the protected information was disclosed. This requirement is found nowhere in the statute. It is inappropriate to burden health professionals with such an obligation in the absence of statutory authorization to do so. Revisions Needed: Rewrite the section to comply with the strongest interpretation of 1-77 of the Statute including 24-hour accessibility. Do not require that health providers report names of persons to whom protected information was disclosed as this was not required in the statute.

Sincerely, Carolyn Treadway Normal, IL 61761

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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Sincerely, Christian Mortensen Chicago, IL 60637



## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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Sincerely, Cindy Chung Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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Sincerely, Curtis Morris Chicago, IL 60607

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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Sincerely, Curtis Morris Chicago, IL 60607

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Sincerely, Daniel Ramus CHicago, IL 60625

## Fair Economy Illinois

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Sincerely, David Klawitter Chicago, IL 60607

## Fair Economy Illinois

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Sincerely, Diamond Hartwell Chicago, IL 60605

## Fair Economy Illinois

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Sincerely, Durango Mendoza Urbana, IL 61801

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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The proposed language concerning disclosure of trade secret-protected information to health professionals is neither consistent with the statute nor protective of the public. Right to Know. Section 1-77(l) of the Act is clear that information shall be provided, as needed, to health professionals who demonstrate a need for it. Yet, section 245.730 of the Rules diminishes the language of the Act, stating only that the Department “may” provide information to health professionals who demonstrate a need for it. Limitation to “normal business hours.” Subsection 245.730(b)(1) of the Rules states, in the event of an emergency, that a health professional may call the Department during “normal business hours.” For an emergency that occurs after hours, the Rules suggest calling the trade secret holder. This is inadequate. The Department should provide a 24- hour hotline for emergency calls pursuant to this section. “Trade Secret Holder.” Subsection 245.730(b)(2) of the Rules allows a health professional to seek the necessary information from a “trade secret holder,” but there is no means provided for the health professional to know who the trade secret holder is, or what phone number to use to reach it. Furthermore, this provision is found nowhere in the statute, seemingly adding another unnecessary burden on the health professional. Lack of a time limit for the Department’s response. The Department should abide by the same 3-hour time limit for a response that applies to trade secret holders pursuant to 245.730(b)(2). Disclosure of names receiving trade secret information. Subsection 245.730(e) of the rules requires that health providers report to the trade secret holder the names of persons to whom the protected information was disclosed. This requirement is found nowhere in the statute. It is inappropriate to burden health professionals with such an obligation in the absence of statutory authorization to do so. Revisions Needed: Rewrite the section to comply with the strongest interpretation of 1-77 of the Statute including 24-hour accessibility. Do not require that health providers report names of persons to whom protected information was disclosed as this was not required in the statute.

Sincerely, Dylan Amlin Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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Sincerely, Dylan Busser Chicago, IL 60647

## Fair Economy Illinois

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Sincerely, Dylan Busser Chicago, IL 60647

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Sincerely, Elias Friedman Chicago, IL 60605

## Fair Economy Illinois

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Sincerely, Elizabeth A. Cerny 7728 Williams St. Downers Grove, IL 60516

## Fair Economy Illinois

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Sincerely, Elizabeth Patula Makanda, IL 62958

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Sincerely, Elizabeth Scrafford chicago, IL 60626



## Fair Economy Illinois

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Sincerely, Emilio Joseph Comay del Junco Chicago, IL 60615

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Sincerely, Emma LaBounty Chicago, IL 60615

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Sincerely, France's Hoffman Chicago, IL 60657

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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The proposed language concerning disclosure of trade secret-protected information to health professionals is neither consistent with the statute nor protective of the public. Right to Know. Section 1-77(l) of the Act is clear that information shall be provided, as needed, to health professionals who demonstrate a need for it. Yet, section 245.730 of the Rules diminishes the language of the Act, stating only that the Department “may” provide information to health professionals who demonstrate a need for it. Limitation to “normal business hours.” Subsection 245.730(b)(1) of the Rules states, in the event of an emergency, that a health professional may call the Department during “normal business hours.” For an emergency that occurs after hours, the Rules suggest calling the trade secret holder. This is inadequate. The Department should provide a 24- hour hotline for emergency calls pursuant to this section. “Trade Secret Holder.” Subsection 245.730(b)(2) of the Rules allows a health professional to seek the necessary information from a “trade secret holder,” but there is no means provided for the health professional to know who the trade secret holder is, or what phone number to use to reach it. Furthermore, this provision is found nowhere in the statute, seemingly adding another unnecessary burden on the health professional. Lack of a time limit for the Department’s response. The Department should abide by the same 3-hour time limit for a response that applies to trade secret holders pursuant to 245.730(b)(2). Disclosure of names receiving trade secret information. Subsection 245.730(e) of the rules requires that health providers report to the trade secret holder the names of persons to whom the protected information was disclosed. This requirement is found nowhere in the statute. It is inappropriate to burden health professionals with such an obligation in the absence of statutory authorization to do so. Revisions Needed: Rewrite the section to comply with the strongest interpretation of 1-77 of the Statute including 24-hour accessibility. Do not require that health providers report names of persons to whom protected information was disclosed as this was not required in the statute.

Sincerely, France's Hoffman Chicago, IL 60657

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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Sincerely, Francis Beach Chicago, IL 60637



## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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Sincerely, Francisco Spaulding Chicago, IL 60637

## Fair Economy Illinois

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Sincerely, Frank Pettis Chicago, IL 60605

## Fair Economy Illinois

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Sincerely, Frank Pettis Chicago, IL 60605

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Sincerely, Gadrel Williams Chicago, IL 60637

## Fair Economy Illinois

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Sincerely, Garrick Balk 236 Prairie Street South Elgin, IL 60177-1528

## Fair Economy Illinois

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Sincerely, Gerry Hoffman Chicago, IL 60657

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Sincerely, Gianna Chacon 525 South State Street (Apt. 1326) Chicago, IL 60605



## Fair Economy Illinois

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Sincerely, Glen Edward Litchfield Darien, IL 60561

## Fair Economy Illinois

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Sincerely, Harry Li Naperville, IL 60564

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Sincerely, James Alstrum Normal, IL 61761

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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Sincerely, Jay Chicago, IL 60637

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Sincerely, jd paulus wheaton, IL 60187

## Fair Economy Illinois

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Sincerely, Jeff Engstrom Urbana, IL 61801

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Sincerely, Jessa Dahl Chicago, IL 60615



## Fair Economy Illinois

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Sincerely, Jessica Green Chicago, IL 60637

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Sincerely, Jill Paulus Wheaton, IL 60187

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Sincerely, John Hunt Chicago, IL 60641

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Sincerely, Julia Ogilvie 1806 Marion Court Wheaton, IL 60187

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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The proposed language concerning disclosure of trade secret-protected information to health professionals is neither consistent with the statute nor protective of the public. Right to Know. Section 1-77(l) of the Act is clear that information shall be provided, as needed, to health professionals who demonstrate a need for it. Yet, section 245.730 of the Rules diminishes the language of the Act, stating only that the Department “may” provide information to health professionals who demonstrate a need for it. Limitation to “normal business hours.” Subsection 245.730(b)(1) of the Rules states, in the event of an emergency, that a health professional may call the Department during “normal business hours.” For an emergency that occurs after hours, the Rules suggest calling the trade secret holder. This is inadequate. The Department should provide a 24- hour hotline for emergency calls pursuant to this section. “Trade Secret Holder.” Subsection 245.730(b)(2) of the Rules allows a health professional to seek the necessary information from a “trade secret holder,” but there is no means provided for the health professional to know who the trade secret holder is, or what phone number to use to reach it. Furthermore, this provision is found nowhere in the statute, seemingly adding another unnecessary burden on the health professional. Lack of a time limit for the Department’s response. The Department should abide by the same 3-hour time limit for a response that applies to trade secret holders pursuant to 245.730(b)(2). Disclosure of names receiving trade secret information. Subsection 245.730(e) of the rules requires that health providers report to the trade secret holder the names of persons to whom the protected information was disclosed. This requirement is found nowhere in the statute. It is inappropriate to burden health professionals with such an obligation in the absence of statutory authorization to do so. Revisions Needed: Rewrite the section to comply with the strongest interpretation of 1-77 of the Statute including 24-hour accessibility. Do not require that health providers report names of persons to whom protected information was disclosed as this was not required in the statute.

Sincerely, Karina Hendren Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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Sincerely, Kathryn Chapman Hamburg, IL 62045



## Fair Economy Illinois

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Sincerely, Kathy Machaj Chicago, IL 60607

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Sincerely, Kelsey Bratanch itasca, IL 60143

## Fair Economy Illinois

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Sincerely, Kevin Casto Chicago, IL 60615

## Fair Economy Illinois

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Sincerely, Kiehlor Mack Chicago, IL 60637

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Sincerely, Kris Chatterjee Chicago, IL 60637



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Sincerely, Kristen Rosario Chicago, IL 60605

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Sincerely, Lauren San Juan Chicago, IL 60608

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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The proposed language concerning disclosure of trade secret-protected information to health professionals is neither consistent with the statute nor protective of the public. Right to Know. Section 1-77(l) of the Act is clear that information shall be provided, as needed, to health professionals who demonstrate a need for it. Yet, section 245.730 of the Rules diminishes the language of the Act, stating only that the Department “may” provide information to health professionals who demonstrate a need for it. Limitation to “normal business hours.” Subsection 245.730(b)(1) of the Rules states, in the event of an emergency, that a health professional may call the Department during “normal business hours.” For an emergency that occurs after hours, the Rules suggest calling the trade secret holder. This is inadequate. The Department should provide a 24- hour hotline for emergency calls pursuant to this section. “Trade Secret Holder.” Subsection 245.730(b)(2) of the Rules allows a health professional to seek the necessary information from a “trade secret holder,” but there is no means provided for the health professional to know who the trade secret holder is, or what phone number to use to reach it. Furthermore, this provision is found nowhere in the statute, seemingly adding another unnecessary burden on the health professional. Lack of a time limit for the Department’s response. The Department should abide by the same 3-hour time limit for a response that applies to trade secret holders pursuant to 245.730(b)(2). Disclosure of names receiving trade secret information. Subsection 245.730(e) of the rules requires that health providers report to the trade secret holder the names of persons to whom the protected information was disclosed. This requirement is found nowhere in the statute. It is inappropriate to burden health professionals with such an obligation in the absence of statutory authorization to do so. Revisions Needed: Rewrite the section to comply with the strongest interpretation of 1-77 of the Statute including 24-hour accessibility. Do not require that health providers report names of persons to whom protected information was disclosed as this was not required in the statute.

Sincerely, Lauren San Juan Chicago, IL 60608

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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Sincerely, Lauren San Juan Chicago, IL 60608



## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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Sincerely, Lavine Hemlani Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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Sincerely, Lavine Hemlani Chicago, IL 60637

## Fair Economy Illinois

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Sincerely, Lavine Hemlani Chicago, IL 60637

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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Sincerely, Leilani Douglas Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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Sincerely, Lexington Lawson Chicago, IL 60640

## Fair Economy Illinois

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Sincerely, Lindsay Paulus Wheaton , IL 60187

## Fair Economy Illinois

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Sincerely, Liza Pono Chicago, IL 60616

## Fair Economy Illinois

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Sincerely, Louis Clark Chicago, IL 60637



## Fair Economy Illinois

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Sincerely, Luke Dobbs Chicago, IL 60605

## Fair Economy Illinois

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Sincerely, M J Smerken Murphysboro, IL 62966

## Fair Economy Illinois

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Sincerely, maayan olshan Chicago, IL 60615

## Fair Economy Illinois

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Sincerely, Maheema Haque Chicago, IL 60637

## Fair Economy Illinois

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Sincerely, Mansi Kathuria Chicago, IL 60647

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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Sincerely, Marissa Godlewski Carbondale, IL 62901



## Fair Economy Illinois

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Sincerely, Marissa Godlewski Carbondale, IL 62901

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Sincerely, Mary Trimmer Granite City, IL 62040

## Fair Economy Illinois

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Sincerely, Maryann Condren Naperville, IL 60540

## Fair Economy Illinois

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Sincerely, Matt Chappell Tuscola, IL 61953

## Fair Economy Illinois

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Sincerely, Matthew Raigosa Chicago, IL 60608

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Sincerely, Michael Perino Chicago, IL 60637



## Fair Economy Illinois

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Sincerely, Michelle Mejia Chicago, IL 60637

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Sincerely, Min Li Naperville, IL 60564

## Fair Economy Illinois

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Sincerely, Nancy Onderdonk 1456 W Granville Chicago, IL 60660

## Fair Economy Illinois

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Sincerely, Natalie Elaine Wright 5438 S Harper Ave (Apt. 2S) Chicago, IL 60615

## Fair Economy Illinois

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Sincerely, Navroz Tharani Chicago, IL 60615

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The proposed language concerning disclosure of trade secret-protected information to health professionals is neither consistent with the statute nor protective of the public. Right to Know. Section 1-77(l) of the Act is clear that information shall be provided, as needed, to health professionals who demonstrate a need for it. Yet, section 245.730 of the Rules diminishes the language of the Act, stating only that the Department “may” provide information to health professionals who demonstrate a need for it. Limitation to “normal business hours.” Subsection 245.730(b)(1) of the Rules states, in the event of an emergency, that a health professional may call the Department during “normal business hours.” For an emergency that occurs after hours, the Rules suggest calling the trade secret holder. This is inadequate. The Department should provide a 24- hour hotline for emergency calls pursuant to this section. “Trade Secret Holder.” Subsection 245.730(b)(2) of the Rules allows a health professional to seek the necessary information from a “trade secret holder,” but there is no means provided for the health professional to know who the trade secret holder is, or what phone number to use to reach it. Furthermore, this provision is found nowhere in the statute, seemingly adding another unnecessary burden on the health professional. Lack of a time limit for the Department’s response. The Department should abide by the same 3-hour time limit for a response that applies to trade secret holders pursuant to 245.730(b)(2). Disclosure of names receiving trade secret information. Subsection 245.730(e) of the rules requires that health providers report to the trade secret holder the names of persons to whom the protected information was disclosed. This requirement is found nowhere in the statute. It is inappropriate to burden health professionals with such an obligation in the absence of statutory authorization to do so. Revisions Needed: Rewrite the section to comply with the strongest interpretation of 1-77 of the Statute including 24-hour accessibility. Do not require that health providers report names of persons to whom protected information was disclosed as this was not required in the statute.

Sincerely, Nick Phillips Evanston, IL 60201

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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Sincerely, Noah Hellermann New York, IL 11218



## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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Sincerely, Norma Claire Moruzzi Chicago, IL 60640

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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Sincerely, Paloma Delgadillo Plano, IL 75075

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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Sincerely, Pamela J. Richart 1645 W. Jarvis Chicago, IL 60626

## Fair Economy Illinois

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Sincerely, Patricia Simpson Philo, IL 61864



## Fair Economy Illinois

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Sincerely, Patrick Dexter Chicago, IL 60615

## Fair Economy Illinois

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Sincerely, Paul Papoutz Chicago, IL 60637

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Sincerely, Peter Dompke Belleville, IL 62221

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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Sincerely, Rachel Pinker Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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Sincerely, Rachelle Ankney Chicago, IL 60626

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Sincerely, Raj Kapoor Oak Park, IL 60302

## Fair Economy Illinois

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Sincerely, Ramon Valladarez Chicago, IL 60642

## Fair Economy Illinois

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Sincerely, Raymond D. Gayton 453 Tahoe Street Park Forest, IL 60466

## Fair Economy Illinois

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Sincerely, Rebecca Foster Chicago, IL 60615

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Sincerely, Rebecca McBride Mahomet, IL 61875



## Fair Economy Illinois

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Sincerely, Rebecca Quesnell Chicago, IL 60605

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Sincerely, Reed Mershon Chicago, IL 60637

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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The proposed language concerning disclosure of trade secret-protected information to health professionals is neither consistent with the statute nor protective of the public. Right to Know. Section 1-77(l) of the Act is clear that information shall be provided, as needed, to health professionals who demonstrate a need for it. Yet, section 245.730 of the Rules diminishes the language of the Act, stating only that the Department “may” provide information to health professionals who demonstrate a need for it. Limitation to “normal business hours.” Subsection 245.730(b)(1) of the Rules states, in the event of an emergency, that a health professional may call the Department during “normal business hours.” For an emergency that occurs after hours, the Rules suggest calling the trade secret holder. This is inadequate. The Department should provide a 24- hour hotline for emergency calls pursuant to this section. “Trade Secret Holder.” Subsection 245.730(b)(2) of the Rules allows a health professional to seek the necessary information from a “trade secret holder,” but there is no means provided for the health professional to know who the trade secret holder is, or what phone number to use to reach it. Furthermore, this provision is found nowhere in the statute, seemingly adding another unnecessary burden on the health professional. Lack of a time limit for the Department’s response. The Department should abide by the same 3-hour time limit for a response that applies to trade secret holders pursuant to 245.730(b)(2). Disclosure of names receiving trade secret information. Subsection 245.730(e) of the rules requires that health providers report to the trade secret holder the names of persons to whom the protected information was disclosed. This requirement is found nowhere in the statute. It is inappropriate to burden health professionals with such an obligation in the absence of statutory authorization to do so. Revisions Needed: Rewrite the section to comply with the strongest interpretation of 1-77 of the Statute including 24-hour accessibility. Do not require that health providers report names of persons to whom protected information was disclosed as this was not required in the statute.

Sincerely, Roberta Weiner Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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Sincerely, Roberta Weiner Chicago, IL 60637



## Fair Economy Illinois

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Sincerely, Roderick Luke Chan Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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Sincerely, Rohit Satishchandra Chicago, IL 60637

## Fair Economy Illinois

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Sincerely, Ron Yehoshua Chicago, IL 60637

## Fair Economy Illinois

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Sincerely, Ron Yehoshua Chicago, IL 60637

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Sincerely, sam zacher Chicago, IL 60637

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Sincerely, Sandeep Malladi Chicago, IL 60637

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Sincerely, Sara Buck Chicago, IL 60640

## Fair Economy Illinois

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Sincerely, Sarah Quesnell Chicago, IL 60605

## Fair Economy Illinois

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Sincerely, Sasha Mitrofanenko Chicago, IL 60605

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Sincerely, Scott Condren Chicago, IL 60608

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

### Section 245.730 Trade Secret Disclosure to Health Professional

The proposed language concerning disclosure of trade secret-protected information to health professionals is neither consistent with the statute nor protective of the public. Right to Know. Section 1-77(l) of the Act is clear that information shall be provided, as needed, to health professionals who demonstrate a need for it. Yet, section 245.730 of the Rules diminishes the language of the Act, stating only that the Department “may” provide information to health professionals who demonstrate a need for it. Limitation to “normal business hours.” Subsection 245.730(b)(1) of the Rules states, in the event of an emergency, that a health professional may call the Department during “normal business hours.” For an emergency that occurs after hours, the Rules suggest calling the trade secret holder. This is inadequate. The Department should provide a 24- hour hotline for emergency calls pursuant to this section. “Trade Secret Holder.” Subsection 245.730(b)(2) of the Rules allows a health professional to seek the necessary information from a “trade secret holder,” but there is no means provided for the health professional to know who the trade secret holder is, or what phone number to use to reach it. Furthermore, this provision is found nowhere in the statute, seemingly adding another unnecessary burden on the health professional. Lack of a time limit for the Department’s response. The Department should abide by the same 3-hour time limit for a response that applies to trade secret holders pursuant to 245.730(b)(2). Disclosure of names receiving trade secret information. Subsection 245.730(e) of the rules requires that health providers report to the trade secret holder the names of persons to whom the protected information was disclosed. This requirement is found nowhere in the statute. It is inappropriate to burden health professionals with such an obligation in the absence of statutory authorization to do so. Revisions Needed: Rewrite the section to comply with the strongest interpretation of 1-77 of the Statute including 24-hour accessibility. Do not require that health providers report names of persons to whom protected information was disclosed as this was not required in the statute.

Sincerely, Scott Condren Chicago, IL 60608

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

### Section 245.730 Trade Secret Disclosure to Health Professional

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Sincerely, Shaden Amara Naperville, IL 60564



## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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Sincerely, Shawn Mukherji Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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Sincerely, Shawn Mukherji Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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Sincerely, Shawn Mukherji Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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Sincerely, Shrabya Timinsia Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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Sincerely, Shreya Kathuria Vernon Hills, IL 60061

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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Sincerely, Simone Serhan Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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Sincerely, sonja chan 944 w walnut st kankakee, IL 60901

## Fair Economy Illinois

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Sincerely, Sophia Johnson Chicago, IL 60605



## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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Sincerely, Stanley Archacki Westmont, IL 60559

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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Sincerely, Sylvia Glauster 1327 E 52nd St #302 Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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Sincerely, Ta Promlee Chicago, IL 60645

## Fair Economy Illinois

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## Fair Economy Illinois

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Sincerely, Ta Promlee Chicago, IL 60645

## Fair Economy Illinois

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Sincerely, Tarek Amrouch Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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The proposed language concerning disclosure of trade secret-protected information to health professionals is neither consistent with the statute nor protective of the public. Right to Know. Section 1-77(l) of the Act is clear that information shall be provided, as needed, to health professionals who demonstrate a need for it. Yet, section 245.730 of the Rules diminishes the language of the Act, stating only that the Department “may” provide information to health professionals who demonstrate a need for it. Limitation to “normal business hours.” Subsection 245.730(b)(1) of the Rules states, in the event of an emergency, that a health professional may call the Department during “normal business hours.” For an emergency that occurs after hours, the Rules suggest calling the trade secret holder. This is inadequate. The Department should provide a 24- hour hotline for emergency calls pursuant to this section. “Trade Secret Holder.” Subsection 245.730(b)(2) of the Rules allows a health professional to seek the necessary information from a “trade secret holder,” but there is no means provided for the health professional to know who the trade secret holder is, or what phone number to use to reach it. Furthermore, this provision is found nowhere in the statute, seemingly adding another unnecessary burden on the health professional. Lack of a time limit for the Department’s response. The Department should abide by the same 3-hour time limit for a response that applies to trade secret holders pursuant to 245.730(b)(2). Disclosure of names receiving trade secret information. Subsection 245.730(e) of the rules requires that health providers report to the trade secret holder the names of persons to whom the protected information was disclosed. This requirement is found nowhere in the statute. It is inappropriate to burden health professionals with such an obligation in the absence of statutory authorization to do so. Revisions Needed: Rewrite the section to comply with the strongest interpretation of 1-77 of the Statute including 24-hour accessibility. Do not require that health providers report names of persons to whom protected information was disclosed as this was not required in the statute.

Sincerely, Tim Dompke Collinsville, IL 62224

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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Sincerely, Tim Law Chicago, IL 60637



## Fair Economy Illinois

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Sincerely, Tori Root Naperville, IL 60564

## Fair Economy Illinois

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Sincerely, Vadim Tanyoin Chicago, IL 60637

## Fair Economy Illinois

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Sincerely, Veronica Murashige Chicago, IL 60637

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Sincerely, Veronica Murashige Chicago, IL 60637



## Fair Economy Illinois

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Sincerely, Vik Lobo Chicago, IL 60637

## Fair Economy Illinois

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Sincerely, Vincent Beltrano Chicago, IL 60615

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Sincerely, Virginia Baker Chicago, IL 60608

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

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The proposed language concerning disclosure of trade secret-protected information to health professionals is neither consistent with the statute nor protective of the public. Right to Know. Section 1-77(l) of the Act is clear that information shall be provided, as needed, to health professionals who demonstrate a need for it. Yet, section 245.730 of the Rules diminishes the language of the Act, stating only that the Department “may” provide information to health professionals who demonstrate a need for it. Limitation to “normal business hours.” Subsection 245.730(b)(1) of the Rules states, in the event of an emergency, that a health professional may call the Department during “normal business hours.” For an emergency that occurs after hours, the Rules suggest calling the trade secret holder. This is inadequate. The Department should provide a 24- hour hotline for emergency calls pursuant to this section. “Trade Secret Holder.” Subsection 245.730(b)(2) of the Rules allows a health professional to seek the necessary information from a “trade secret holder,” but there is no means provided for the health professional to know who the trade secret holder is, or what phone number to use to reach it. Furthermore, this provision is found nowhere in the statute, seemingly adding another unnecessary burden on the health professional. Lack of a time limit for the Department’s response. The Department should abide by the same 3-hour time limit for a response that applies to trade secret holders pursuant to 245.730(b)(2). Disclosure of names receiving trade secret information. Subsection 245.730(e) of the rules requires that health providers report to the trade secret holder the names of persons to whom the protected information was disclosed. This requirement is found nowhere in the statute. It is inappropriate to burden health professionals with such an obligation in the absence of statutory authorization to do so. Revisions Needed: Rewrite the section to comply with the strongest interpretation of 1-77 of the Statute including 24-hour accessibility. Do not require that health providers report names of persons to whom protected information was disclosed as this was not required in the statute.

Sincerely, Westin Campo chicago, IL 60608

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

### Section 245.730 Trade Secret Disclosure to Health Professional

The proposed language concerning disclosure of trade secret-protected information to health professionals is neither consistent with the statute nor protective of the public. Right to Know. Section 1-77(l) of the Act is clear that information shall be provided, as needed, to health professionals who demonstrate a need for it. Yet, section 245.730 of the Rules diminishes the language of the Act, stating only that the Department “may” provide information to health professionals who demonstrate a need for it. Limitation to “normal business hours.” Subsection 245.730(b)(1) of the Rules states, in the event of an emergency, that a health professional may call the Department during “normal business hours.” For an emergency that occurs after hours, the Rules suggest calling the trade secret holder. This is inadequate. The Department should provide a 24- hour hotline for emergency calls pursuant to this section. “Trade Secret Holder.” Subsection 245.730(b)(2) of the Rules allows a health professional to seek the necessary information from a “trade secret holder,” but there is no means provided for the health professional to know who the trade secret holder is, or what phone number to use to reach it. Furthermore, this provision is found nowhere in the statute, seemingly adding another unnecessary burden on the health professional. Lack of a time limit for the Department’s response. The Department should abide by the same 3-hour time limit for a response that applies to trade secret holders pursuant to 245.730(b)(2). Disclosure of names receiving trade secret information. Subsection 245.730(e) of the rules requires that health providers report to the trade secret holder the names of persons to whom the protected information was disclosed. This requirement is found nowhere in the statute. It is inappropriate to burden health professionals with such an obligation in the absence of statutory authorization to do so. Revisions Needed: Rewrite the section to comply with the strongest interpretation of 1-77 of the Statute including 24-hour accessibility. Do not require that health providers report names of persons to whom protected information was disclosed as this was not required in the statute.

Sincerely, Will Fernandez Chicago, IL 60615



## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

### Section 245.730 Trade Secret Disclosure to Health Professional

The proposed language concerning disclosure of trade secret-protected information to health professionals is neither consistent with the statute nor protective of the public. Right to Know. Section 1-77(l) of the Act is clear that information shall be provided, as needed, to health professionals who demonstrate a need for it. Yet, section 245.730 of the Rules diminishes the language of the Act, stating only that the Department “may” provide information to health professionals who demonstrate a need for it. Limitation to “normal business hours.” Subsection 245.730(b)(1) of the Rules states, in the event of an emergency, that a health professional may call the Department during “normal business hours.” For an emergency that occurs after hours, the Rules suggest calling the trade secret holder. This is inadequate. The Department should provide a 24- hour hotline for emergency calls pursuant to this section. “Trade Secret Holder.” Subsection 245.730(b)(2) of the Rules allows a health professional to seek the necessary information from a “trade secret holder,” but there is no means provided for the health professional to know who the trade secret holder is, or what phone number to use to reach it. Furthermore, this provision is found nowhere in the statute, seemingly adding another unnecessary burden on the health professional. Lack of a time limit for the Department’s response. The Department should abide by the same 3-hour time limit for a response that applies to trade secret holders pursuant to 245.730(b)(2). Disclosure of names receiving trade secret information. Subsection 245.730(e) of the rules requires that health providers report to the trade secret holder the names of persons to whom the protected information was disclosed. This requirement is found nowhere in the statute. It is inappropriate to burden health professionals with such an obligation in the absence of statutory authorization to do so. Revisions Needed: Rewrite the section to comply with the strongest interpretation of 1-77 of the Statute including 24-hour accessibility. Do not require that health providers report names of persons to whom protected information was disclosed as this was not required in the statute.

Sincerely, William LaBounty Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

### Section 245.730 Trade Secret Disclosure to Health Professional

The proposed language concerning disclosure of trade secret-protected information to health professionals is neither consistent with the statute nor protective of the public. Right to Know. Section 1-77(l) of the Act is clear that information shall be provided, as needed, to health professionals who demonstrate a need for it. Yet, section 245.730 of the Rules diminishes the language of the Act, stating only that the Department “may” provide information to health professionals who demonstrate a need for it. Limitation to “normal business hours.” Subsection 245.730(b)(1) of the Rules states, in the event of an emergency, that a health professional may call the Department during “normal business hours.” For an emergency that occurs after hours, the Rules suggest calling the trade secret holder. This is inadequate. The Department should provide a 24- hour hotline for emergency calls pursuant to this section. “Trade Secret Holder.” Subsection 245.730(b)(2) of the Rules allows a health professional to seek the necessary information from a “trade secret holder,” but there is no means provided for the health professional to know who the trade secret holder is, or what phone number to use to reach it. Furthermore, this provision is found nowhere in the statute, seemingly adding another unnecessary burden on the health professional. Lack of a time limit for the Department’s response. The Department should abide by the same 3-hour time limit for a response that applies to trade secret holders pursuant to 245.730(b)(2). Disclosure of names receiving trade secret information. Subsection 245.730(e) of the rules requires that health providers report to the trade secret holder the names of persons to whom the protected information was disclosed. This requirement is found nowhere in the statute. It is inappropriate to burden health professionals with such an obligation in the absence of statutory authorization to do so. Revisions Needed: Rewrite the section to comply with the strongest interpretation of 1-77 of the Statute including 24-hour accessibility. Do not require that health providers report names of persons to whom protected information was disclosed as this was not required in the statute.

Sincerely, William Toole Godfrey, IL 62035

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

### Section 245.730 Trade Secret Disclosure to Health Professional

The proposed language concerning disclosure of trade secret-protected information to health professionals is neither consistent with the statute nor protective of the public. Right to Know. Section 1-77(l) of the Act is clear that information shall be provided, as needed, to health professionals who demonstrate a need for it. Yet, section 245.730 of the Rules diminishes the language of the Act, stating only that the Department “may” provide information to health professionals who demonstrate a need for it. Limitation to “normal business hours.” Subsection 245.730(b)(1) of the Rules states, in the event of an emergency, that a health professional may call the Department during “normal business hours.” For an emergency that occurs after hours, the Rules suggest calling the trade secret holder. This is inadequate. The Department should provide a 24- hour hotline for emergency calls pursuant to this section. “Trade Secret Holder.” Subsection 245.730(b)(2) of the Rules allows a health professional to seek the necessary information from a “trade secret holder,” but there is no means provided for the health professional to know who the trade secret holder is, or what phone number to use to reach it. Furthermore, this provision is found nowhere in the statute, seemingly adding another unnecessary burden on the health professional. Lack of a time limit for the Department’s response. The Department should abide by the same 3-hour time limit for a response that applies to trade secret holders pursuant to 245.730(b)(2). Disclosure of names receiving trade secret information. Subsection 245.730(e) of the rules requires that health providers report to the trade secret holder the names of persons to whom the protected information was disclosed. This requirement is found nowhere in the statute. It is inappropriate to burden health professionals with such an obligation in the absence of statutory authorization to do so. Revisions Needed: Rewrite the section to comply with the strongest interpretation of 1-77 of the Statute including 24-hour accessibility. Do not require that health providers report names of persons to whom protected information was disclosed as this was not required in the statute.

Sincerely, Yijian Li Naperville, IL 60564

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

### Section 245.730 Trade Secret Disclosure to Health Professional

The proposed language concerning disclosure of trade secret-protected information to health professionals is neither consistent with the statute nor protective of the public. Right to Know. Section 1-77(l) of the Act is clear that information shall be provided, as needed, to health professionals who demonstrate a need for it. Yet, section 245.730 of the Rules diminishes the language of the Act, stating only that the Department “may” provide information to health professionals who demonstrate a need for it. Limitation to “normal business hours.” Subsection 245.730(b)(1) of the Rules states, in the event of an emergency, that a health professional may call the Department during “normal business hours.” For an emergency that occurs after hours, the Rules suggest calling the trade secret holder. This is inadequate. The Department should provide a 24- hour hotline for emergency calls pursuant to this section. “Trade Secret Holder.” Subsection 245.730(b)(2) of the Rules allows a health professional to seek the necessary information from a “trade secret holder,” but there is no means provided for the health professional to know who the trade secret holder is, or what phone number to use to reach it. Furthermore, this provision is found nowhere in the statute, seemingly adding another unnecessary burden on the health professional. Lack of a time limit for the Department’s response. The Department should abide by the same 3-hour time limit for a response that applies to trade secret holders pursuant to 245.730(b)(2). Disclosure of names receiving trade secret information. Subsection 245.730(e) of the rules requires that health providers report to the trade secret holder the names of persons to whom the protected information was disclosed. This requirement is found nowhere in the statute. It is inappropriate to burden health professionals with such an obligation in the absence of statutory authorization to do so. Revisions Needed: Rewrite the section to comply with the strongest interpretation of 1-77 of the Statute including 24-hour accessibility. Do not require that health providers report names of persons to whom protected information was disclosed as this was not required in the statute.

Sincerely, Zach Taylor Chicago, IL 60637

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

### Section 245.730 Trade Secret Disclosure to Health Professional

The proposed use of water and the right to irrevocably pollute our water system is a form of genocide. It is nonsensical for any corporation to be exempt from the clean air and clean water acts; the proposed penalties for violating the inadequate regulations that exist are so low as to be laughable; giving away enormous amounts of water to be forever poisoned in the middle of a drought is an act that is so ridiculous as to be difficult to comprehend; the refusal to disclose the chemicals involved in fracturing poses an irretrievable risk to public health and safety; cost to the state in road maintenance will outstrip revenue by 2-3 times. Please stop this insanity. Don't exchange the ability for humans to healthfully subsist in our region for the financial profit of a very few. Please do your duty and protect the health and well being of Southern Illinois, and do not allow fracking. It cannot be made safe, and regulations are a deceiving pretense.

Sincerely, Priscilla Pimentel Carbondale, IL 62901

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

### Section 245.730 Trade Secret Disclosure to Health Professional

To the IDNR on proposed fracking administrative rules: Please note that I do not believe fracking is safe or can be made safe and I support at minimum a moratorium on fracking in Illinois, and better still, an outright ban. The proposed administrative rules you've written are inadequate on so many levels for protecting the environment and the people of Illinois, but I will specifically call attention to these items: -inconsequential fines for serious violations of safety (section 245-1120)--the oil and gas industry is likely in the top five money making industries in this nation, but your proposed fines are from \$50 to \$2500. The damage fracking will do to the public health and environment will cost taxpayers and the state far more than you'll ever recoup from the oil and gas industry. Increase these fines so safety is taken seriously. -water quality-section 245.600 indicates water quality testing would only need to occur within 1500 ft of a well. Are you familiar with how groundwater is contaminated at all? The water quality needs to be tested well beyond 1500 ft. --water usage. We will see serious water shortages, particularly in drought conditions, due to the huge amounts of water that fracking requires. yet section 245.210 makes no requirement for fracking companies to apply to local government for use of ground or surface water. Overall, it seems clear you've not written these rules with science or public health authorities guidance at all. Please take considerable time to re-write these rules. The citizens of Illinois at least need you to take the regulation of this travesty seriously.

Sincerely, Jesslyn Jobe 1111 W. Walkup Ave. Carbondale, IL 62901

## Fair Economy Illinois

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In reference to Subpart G: Chemical Disclosure; Trade Secrets

### Section 245.730 Trade Secret Disclosure to Health Professional

To the Illinois Department of Natural Resources, My name is Rebecca Quesnell and I have been an Illinois resident for several years now. I am also an individual who extremely passionate about the environment and I find peoples' ultimate dependence on it to be astonishing. That is why I am extremely concerned with multiple inadequacies in the proposed rules and regulations. The main one that I am addressing right now is with regards to the disclosure of trade secret-protected information to health professionals. I find it to be extremely inconsistent and it fails to protect the public in the area surrounding fracking operations. The following is language that is inconsistent and, further, inadequacies with regards to chemical disclosure: Right to Know. Section 1-77(l) of the Act is clear that information shall be provided, as needed, to health professionals who demonstrate a need for it. However, section 245.730 of the Rules diminishes the language of the Act by stating only that the Department "may" provide information to health professionals who demonstrate a need for it. Shall be provided, as needed, and may provide it is inconsistent. The term "may" makes it seem that these companies/ trade secret holders do not need to release the information to health care professionals unless they want to. Limitation to "normal business hours." Subsection 245.730(b)(1) of the Rules states that, in the event of an emergency, a health professional may call the Department during "normal business hours." However, for an emergency that occurs after hours, the Rules suggest calling the trade secret holder. This is extremely inadequate and does not make sense at all! The Department should, and needs to, provide a 24-hour hotline for emergency calls pursuant to this section. This also leads into the fact that health professionals have no way of knowing who the trade secret holder may be... "Trade Secret Holder." Subsection 245.730(b)(2) of the Rules allows a health professional to seek the necessary information from a "trade secret holder," but there is no means provided for the health professional to know who the trade secret holder is, or what phone number to use to reach the trade secret holder. Additionally, this provision is found nowhere in the statute, seemingly adding another unnecessary burden on the health professional as well as making it harder for them to do their job and help someone in the event of an emergency! Lack of a time limit for the Department's response. The Department should abide by the same 3-hour time limit for a response that applies to trade secret holders pursuant to 245.730(b)(2). Disclosure of names receiving trade secret information. Subsection 245.730(e) of the rules requires that health providers report to the trade secret holder the names of persons to whom the protected information was disclosed. This requirement is found nowhere in the statute. It is inappropriate to burden health professionals with such an obligation in the absence of statutory authorization to do so. Due to these inadequacies that are apparent, burden health care professionals, and do not even attempt to protect/ help the public, I feel that this section greatly needs to be improved upon and should be rewritten. I suggest rewriting the section in order to comply with the strongest interpretation of 1-77 of the Statute including 24-hour accessibility. I also demand that you do not require that health providers report names of persons to whom protected information was disclosed as this was not required in the statute. Ultimately, this section is terribly structured and written and due to

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some of the language used, it also creates loopholes for these companies so that they can avoid addressing issues appropriately and reasonably as well as increase their profits in the end. Who's side are you on IDNR? If anything you should at least be a neutral party writing these rules and regulations but it is apparent that you are not working to protect potentially affected parties of people in the area, and you certainly not protecting the environment! Get your heads on straight and start doing your job, please and thank you. And thank you for taking the time to read this and, ultimately, thank you in advance address these concerns that I am putting before you.

Sincerely, Rebecca Quesnell 3 Talisman Trace Galena, IL 61036



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.825 General Fluid Storage

Fracking is an absolutely horrible practice and any government body whose going to put their citizens life and/or well-being at stake should, AT THE VERY LEAST, make sure that this very nasty practice is conducted as safely as possible (if they make the absolutely wrong decision to allow it at all - money is NOT worth our lives after all).

Sincerely, Larry Manter 1601 Whitehall Ct. Wheeling, IL 60090

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

### Section 245.825 General Fluid Storage

General Fluid Storage How does this affect me: Water Integrity Relevant parts of the Proposed Administrative Rules: Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations (245.800-245.870) 245.825 General Fluid Storage This section lacks the specificity needed to insure that fracking will be conducted in a manner that will protect the public health and safety and prevent pollution or diminution of any water source. (Statute 1-53(4)) •“Compatible” (245.825(a)(2), (c)(1)). The regulations should clarify what is “compatible” for purposes of provisions that tanks and “piping, conveyances, ...must be constructed of materials compatible with the composition of the fracking fluid...” Specifically, the Department should clarify that “compatible” includes being resistant to corrosion, erosion, swelling, or degradation that may result from such contact. •Corrosion inspection (245.825(a)(5)). The Department should define what is meant by the requirement that above-ground tanks be “routinely” inspected for corrosion, i.e., specify a time interval. •Secondary containment (245.825(b)). The Department should require that secondary containment be designed and constructed in accordance with good engineering practices, including: (a) Using coated or lined materials that are chemically compatible with the environment and the substances to be contained; (b) Providing adequate freeboard; (c) Protecting containment from heavy vehicle or equipment traffic.

Sincerely, Stephanie Bilenko LaGrange Park, IL 60526

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

### Section 245.825 General Fluid Storage

This section is shockingly vague regarding the specificity needed to insure that fracking will be conducted in a manner that will protect the public health and safety and prevent pollution or diminution of any water source. (Statute 1-53(4)) "Compatible" (245.825(a)(2), (c)(1)). The regulations should clarify what is "compatible" for purposes of provisions that tanks and "piping, conveyances, ...must be constructed of materials compatible with the composition of the fracking fluid...." Specifically, the Department should clarify that "compatible" includes being resistant to corrosion, erosion, swelling, or degradation that may result from such contact. Corrosion inspection (245.825(a)(5)). The Department should define what is meant by the requirement that above-ground tanks be "routinely" inspected for corrosion, i.e., specify a time interval. Secondary containment (245.825(b)). The Department should require that secondary containment be designed and constructed in accordance with good engineering practices, including: (a) Using coated or lined materials that are chemically compatible with the environment and the substances to be contained; (b) Providing adequate freeboard; (c) Protecting containment from heavy vehicle or equipment traffic.

Sincerely, Norma Claire Moruzzi Chicago, IL 60640

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

### Section 245.825 General Fluid Storage

This section lacks the specificity needed to insure that fracking will be conducted in a manner that will protect the public health and safety and prevent pollution or diminution of any water source. (Statute 1-53(4)) "Compatible" (245.825(a)(2), (c)(1)). The regulations should clarify what is "compatible" for purposes of provisions that tanks and "piping, conveyances, ... must be constructed of materials compatible with the composition of the fracking fluid...." Specifically, the Department should clarify that "compatible" includes being resistant to corrosion, erosion, swelling, or degradation that may result from such contact. Corrosion inspection (245.825(a)(5)). The Department should define what is meant by the requirement that above-ground tanks be "routinely" inspected for corrosion, i.e., specify a time interval. Secondary containment (245.825(b)). The Department should require that secondary containment be designed and constructed in accordance with good engineering practices, including: (a) Using coated or lined materials that are chemically compatible with the environment and the substances to be contained; (b) Providing adequate freeboard; (c) Protecting containment from heavy vehicle or equipment traffic.

Sincerely, Abby Dompke Chicago, IL 60607

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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This section lacks the specificity needed to insure that fracking will be conducted in a manner that will protect the public health and safety and prevent pollution or diminution of any water source. (Statute 1-53(4)) "Compatible" (245.825(a)(2), (c)(1)). The regulations should clarify what is "compatible" for purposes of provisions that tanks and "piping, conveyances, ... must be constructed of materials compatible with the composition of the fracking fluid...." Specifically, the Department should clarify that "compatible" includes being resistant to corrosion, erosion, swelling, or degradation that may result from such contact. Corrosion inspection (245.825(a)(5)). The Department should define what is meant by the requirement that above-ground tanks be "routinely" inspected for corrosion, i.e., specify a time interval. Secondary containment (245.825(b)). The Department should require that secondary containment be designed and constructed in accordance with good engineering practices, including: (a) Using coated or lined materials that are chemically compatible with the environment and the substances to be contained; (b) Providing adequate freeboard; (c) Protecting containment from heavy vehicle or equipment traffic.

Sincerely, Abraham Secular Chicago, IL 60615

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

### Section 245.825 General Fluid Storage

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Sincerely, Adriana Caballero Oak Park, IL 60302

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

### Section 245.825 General Fluid Storage

This section lacks the specificity needed to insure that fracking will be conducted in a manner that will protect the public health and safety and prevent pollution or diminution of any water source. (Statute 1-53(4)) "Compatible" (245.825(a)(2), (c)(1)). The regulations should clarify what is "compatible" for purposes of provisions that tanks and "piping, conveyances, ... must be constructed of materials compatible with the composition of the fracking fluid...." Specifically, the Department should clarify that "compatible" includes being resistant to corrosion, erosion, swelling, or degradation that may result from such contact. Corrosion inspection (245.825(a)(5)). The Department should define what is meant by the requirement that above-ground tanks be "routinely" inspected for corrosion, i.e., specify a time interval. Secondary containment (245.825(b)). The Department should require that secondary containment be designed and constructed in accordance with good engineering practices, including: (a) Using coated or lined materials that are chemically compatible with the environment and the substances to be contained; (b) Providing adequate freeboard; (c) Protecting containment from heavy vehicle or equipment traffic.

Sincerely, Alen Makhmudov Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

### Section 245.825 General Fluid Storage

This section lacks the specificity needed to insure that fracking will be conducted in a manner that will protect the public health and safety and prevent pollution or diminution of any water source. (Statute 1-53(4)) "Compatible" (245.825(a)(2), (c)(1)). The regulations should clarify what is "compatible" for purposes of provisions that tanks and "piping, conveyances, ... must be constructed of materials compatible with the composition of the fracking fluid...." Specifically, the Department should clarify that "compatible" includes being resistant to corrosion, erosion, swelling, or degradation that may result from such contact. Corrosion inspection (245.825(a)(5)). The Department should define what is meant by the requirement that above-ground tanks be "routinely" inspected for corrosion, i.e., specify a time interval. Secondary containment (245.825(b)). The Department should require that secondary containment be designed and constructed in accordance with good engineering practices, including: (a) Using coated or lined materials that are chemically compatible with the environment and the substances to be contained; (b) Providing adequate freeboard; (c) Protecting containment from heavy vehicle or equipment traffic.

Sincerely, Alen Makhmudov Chicago, IL 60637



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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Alexandra Lynn Chicago, IL 606

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Alicia Klepfer Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

### Section 245.825 General Fluid Storage

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Sincerely, Alicia Klepfer Chicago, IL 60615

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

### Section 245.825 General Fluid Storage

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Sincerely, Alicia Klepfer Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

### Section 245.825 General Fluid Storage

This section lacks the specificity needed to insure that fracking will be conducted in a manner that will protect the public health and safety and prevent pollution or diminution of any water source. (Statute 1-53(4)) "Compatible" (245.825(a)(2), (c)(1)). The regulations should clarify what is "compatible" for purposes of provisions that tanks and "piping, conveyances, ...must be constructed of materials compatible with the composition of the fracking fluid...." Specifically, the Department should clarify that "compatible" includes being resistant to corrosion, erosion, swelling, or degradation that may result from such contact. Corrosion inspection (245.825(a)(5)). The Department should define what is meant by the requirement that above-ground tanks be "routinely" inspected for corrosion, i.e., specify a time interval. Secondary containment (245.825(b)). The Department should require that secondary containment be designed and constructed in accordance with good engineering practices, including: (a) Using coated or lined materials that are chemically compatible with the environment and the substances to be contained; (b) Providing adequate freeboard; (c) Protecting containment from heavy vehicle or equipment traffic.

Sincerely, Alicia Klepfer Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

### Section 245.825 General Fluid Storage

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Sincerely, Alicia Klepfer Chicago, IL 60615

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Alyssa Carabez Carabez Brookfield, IL 60573

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Amelia Dmouska Chciago, IL 60637



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Ammar Kalimullah Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Andrew Sigman Chicago, IL 60651

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Angela Li Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Anna Betts Chicago, IL 60607

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Anna Betts Chicago, IL 60607

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Sincerely, Anne Pertner  
Pertner Chicago, IL 60605



## Fair Economy Illinois

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Pertner Chicago, IL 60605

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Sincerely, Ashely Ernst Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, B. E. Murphy 458 Tahoe Park Forest, IL 60466

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Benjamin Chametzky Chicago, IL 60637

## Fair Economy Illinois

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Sincerely, Beth Rempe Champaign, IL 61820

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Sincerely, Bob Venier Dixon, IL 61021



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Bonnie Krodel Westmont, IL 60559

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Sincerely, Brent Ritzel 810 N. Springer St. Carbondale, IL 62901

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Brian Menzel Chicago, IL 60608

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

### Section 245.825 General Fluid Storage

This section lacks the specificity needed to insure that fracking will be conducted in a manner that will protect the public health and safety and prevent pollution or diminution of any water source. (Statute 1-53(4)) "Compatible" (245.825(a)(2), (c)(1)). The regulations should clarify what is "compatible" for purposes of provisions that tanks and "piping, conveyances, ... must be constructed of materials compatible with the composition of the fracking fluid...." Specifically, the Department should clarify that "compatible" includes being resistant to corrosion, erosion, swelling, or degradation that may result from such contact. Corrosion inspection (245.825(a)(5)). The Department should define what is meant by the requirement that above-ground tanks be "routinely" inspected for corrosion, i.e., specify a time interval. Secondary containment (245.825(b)). The Department should require that secondary containment be designed and constructed in accordance with good engineering practices, including: (a) Using coated or lined materials that are chemically compatible with the environment and the substances to be contained; (b) Providing adequate freeboard; (c) Protecting containment from heavy vehicle or equipment traffic.

Sincerely, Brian Menzel Chicago, IL 60608

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Britni Austin Chicago, IL 60605



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Britni Austin Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Britni Austin Chicago, IL 60605

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Bruce Anderson Rolling Meadows, IL 60008

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Chris Turner Chicago, IL 60637

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Chris Turner Chicago, IL 60637

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Colleen Dennis Chicago, IL 60605



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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Dakota Dompke Belleville, IL 62221

## Fair Economy Illinois

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Sincerely, David Klawitter Chicago, IL 60607

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Sincerely, Donovan Snyder Snyder Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Dylan Amlin Chicago, IL 60640



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Dylan Busser Chicago, IL 60647

## Fair Economy Illinois

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Sincerely, Elizabeth Scrafford chicago, IL 60626

## Fair Economy Illinois

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Sincerely, Emerson Delgado Chicago, IL 60637

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Sincerely, Emilio Joseph Comay del Junco Chicago, IL 60615

## Fair Economy Illinois

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Sincerely, Emma LaBounty Chicago, IL 60615

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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This section lacks the specificity needed to insure that fracking will be conducted in a manner that will protect the public health and safety and prevent pollution or diminution of any water source. (Statute 1-53(4)) "Compatible" (245.825(a)(2), (c)(1)). The regulations should clarify what is "compatible" for purposes of provisions that tanks and "piping, conveyances, ... must be constructed of materials compatible with the composition of the fracking fluid...." Specifically, the Department should clarify that "compatible" includes being resistant to corrosion, erosion, swelling, or degradation that may result from such contact. Corrosion inspection (245.825(a)(5)). The Department should define what is meant by the requirement that above-ground tanks be "routinely" inspected for corrosion, i.e., specify a time interval. Secondary containment (245.825(b)). The Department should require that secondary containment be designed and constructed in accordance with good engineering practices, including: (a) Using coated or lined materials that are chemically compatible with the environment and the substances to be contained; (b) Providing adequate freeboard; (c) Protecting containment from heavy vehicle or equipment traffic.

Sincerely, Emma LaBounty Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Eve Zuckerman Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Florence Elgin, IL 60123

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, France's Hoffman Chicago, IL 60657

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Francis Beach Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Francis Beach Chicago, IL 60637



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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Gadrel Williams Chicago, IL 60637

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Sincerely, Gadrel Williams Chicago, IL 60637

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Sincerely, Garrick Balk 236 Prairie Street South Elgin, IL 60177-1528

## Fair Economy Illinois

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Sincerely, Gerry Hoffman Chicago, IL 60657

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Sincerely, Gianna Chacon Chicago, IL 60605

## Fair Economy Illinois

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Sincerely, Girwana Baker Chicago, IL 60605

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Sincerely, Glen Edward Litchfield Darien, IL 60561

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Grace Pai Chicago, IL 60615



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Harry Li Naperville, IL 60564

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Sincerely, James Wauer Chicago, IL 60637

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

### Section 245.825 General Fluid Storage

This section lacks the specificity needed to insure that fracking will be conducted in a manner that will protect the public health and safety and prevent pollution or diminution of any water source. (Statute 1-53(4)) "Compatible" (245.825(a)(2), (c)(1)). The regulations should clarify what is "compatible" for purposes of provisions that tanks and "piping, conveyances, ... must be constructed of materials compatible with the composition of the fracking fluid...." Specifically, the Department should clarify that "compatible" includes being resistant to corrosion, erosion, swelling, or degradation that may result from such contact. Corrosion inspection (245.825(a)(5)). The Department should define what is meant by the requirement that above-ground tanks be "routinely" inspected for corrosion, i.e., specify a time interval. Secondary containment (245.825(b)). The Department should require that secondary containment be designed and constructed in accordance with good engineering practices, including: (a) Using coated or lined materials that are chemically compatible with the environment and the substances to be contained; (b) Providing adequate freeboard; (c) Protecting containment from heavy vehicle or equipment traffic.

Sincerely, James Wauer Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

### Section 245.825 General Fluid Storage

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Sincerely, James Wauer Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Jason Busser Dixon, IL 61021

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Jason Busser Dixon, IL 61021

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Jason Mortensen Chicago, IL 60660



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Jay Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Jeff Engstrom Urbana, IL 61801

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Joey Knotts Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, John Hunt Chicago, IL 60641

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Joseph Gary New York, IL 10003



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Julia Ogilvie 1806 Marion Court Wheaton, IL 60187

## Fair Economy Illinois

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Sincerely, Kaijie Wang Chicago, IL 60615

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Sincerely, Kathy Machaj Chicago, IL 60607

## Fair Economy Illinois

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Sincerely, Kayli Horne Chicago, IL 60615

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Sincerely, Kelsey Chicago, IL 60631

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Ken Buck Naperville, IL 60540



## Fair Economy Illinois

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Sincerely, Kevin Casto Chicago, IL 60615

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Sincerely, Kiehlor Mack Chicago, IL 60637

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Sincerely, Kristen Rosario Chicago, IL 60605

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

### Section 245.825 General Fluid Storage

This section lacks the specificity needed to insure that fracking will be conducted in a manner that will protect the public health and safety and prevent pollution or diminution of any water source. (Statute 1-53(4)) "Compatible" (245.825(a)(2), (c)(1)). The regulations should clarify what is "compatible" for purposes of provisions that tanks and "piping, conveyances, ...must be constructed of materials compatible with the composition of the fracking fluid...." Specifically, the Department should clarify that "compatible" includes being resistant to corrosion, erosion, swelling, or degradation that may result from such contact. Corrosion inspection (245.825(a)(5)). The Department should define what is meant by the requirement that above-ground tanks be "routinely" inspected for corrosion, i.e., specify a time interval. Secondary containment (245.825(b)). The Department should require that secondary containment be designed and constructed in accordance with good engineering practices, including: (a) Using coated or lined materials that are chemically compatible with the environment and the substances to be contained; (b) Providing adequate freeboard; (c) Protecting containment from heavy vehicle or equipment traffic.

Sincerely, Kristen Rosario Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Kurt Witteman Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Kurt Witteman Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Kurt Witteman Chicago, IL 60605



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Lavine Hemlani Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Leilani Douglas Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

### Section 245.825 General Fluid Storage

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Sincerely, Leilani Douglas Chicago, IL 60637

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Lexington Lawson Chicago, IL 60640

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Liza Pono Chicago, IL 60616

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Louis Clark Chicago, IL 60637

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Sincerely, Louis Clark Chicago, IL 60637

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Luke Dobbs Chicago, IL 60605



## Fair Economy Illinois

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Sincerely, Lupita Carrasquillo Chicago, IL 60605

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Sincerely, Luz Magdaleno Chicago, IL 60632

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Maddison Davis Chicago, IL 60605

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Sincerely, Maheema Haque Chicago, IL 60637

## Fair Economy Illinois

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Sincerely, Maheema Haque Chicago, IL 60637

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Sincerely, Mansi Kathuria Chicago, IL 60647

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Mansi Kathuria Chicago, IL 60647



## Fair Economy Illinois

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Sincerely, Maryann Condren Naperville, IL 60540

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Matt Chappell Tuscola, IL 61953

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Matt Chappell Tuscola, IL 61953

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Sincerely, Matt Steffen Lake Zurich, IL 60047

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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This section lacks the specificity needed to insure that fracking will be conducted in a manner that will protect the public health and safety and prevent pollution or diminution of any water source. (Statute 1-53(4)) "Compatible" (245.825(a)(2), (c)(1)). The regulations should clarify what is "compatible" for purposes of provisions that tanks and "piping, conveyances, ...must be constructed of materials compatible with the composition of the fracking fluid...." Specifically, the Department should clarify that "compatible" includes being resistant to corrosion, erosion, swelling, or degradation that may result from such contact. Corrosion inspection (245.825(a)(5)). The Department should define what is meant by the requirement that above-ground tanks be "routinely" inspected for corrosion, i.e., specify a time interval. Secondary containment (245.825(b)). The Department should require that secondary containment be designed and constructed in accordance with good engineering practices, including: (a) Using coated or lined materials that are chemically compatible with the environment and the substances to be contained; (b) Providing adequate freeboard; (c) Protecting containment from heavy vehicle or equipment traffic.

Sincerely, Michelle Mejia Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Michelle Mejia Chicago, IL 60637



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Min Li Naperville, IL 60564

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Molly Blondell Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Nancy Penney Monticello, IL 61856

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Nancy Penney Monticello, IL 61856

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Sincerely, Nicholas Andrew Luthi Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Nick Phillips Evanston, IL 60201

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Nour Abdelmonem Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Paloma Delgadillo Plano, IL 75075

## Fair Economy Illinois

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Sincerely, Patricia Simpson Philo, IL 61864

## Fair Economy Illinois

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Sincerely, Paul Kim Chicago, IL 60637

## Fair Economy Illinois

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Sincerely, Rachel Pinker Chicago, IL 60637

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Sincerely, Rachelle Ankney Chicago, IL 60626

## Fair Economy Illinois

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Sincerely, Raegan N Sheedy 426 East 450 North Rd MORRISONVILLE, IL 62546



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Ramon Valladarez Chicago, IL 60642

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Ramon Valladarez Chicago, IL 60642

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Sincerely, Rebecca Quesnell Chicago, IL 60605

## Fair Economy Illinois

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Sincerely, Rebekah Sugarman Syosset, IL 11791

## Fair Economy Illinois

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Sincerely, Reed Mershon Chicago, IL 60637

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Sincerely, Roberta Weiner Chicago, IL 60637

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Sincerely, Roderick Luke Chan Chicago, IL 60615



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

### Section 245.825 General Fluid Storage

This section lacks the specificity needed to insure that fracking will be conducted in a manner that will protect the public health and safety and prevent pollution or diminution of any water source. (Statute 1-53(4)) "Compatible" (245.825(a)(2), (c)(1)). The regulations should clarify what is "compatible" for purposes of provisions that tanks and "piping, conveyances, ... must be constructed of materials compatible with the composition of the fracking fluid...." Specifically, the Department should clarify that "compatible" includes being resistant to corrosion, erosion, swelling, or degradation that may result from such contact. Corrosion inspection (245.825(a)(5)). The Department should define what is meant by the requirement that above-ground tanks be "routinely" inspected for corrosion, i.e., specify a time interval. Secondary containment (245.825(b)). The Department should require that secondary containment be designed and constructed in accordance with good engineering practices, including: (a) Using coated or lined materials that are chemically compatible with the environment and the substances to be contained; (b) Providing adequate freeboard; (c) Protecting containment from heavy vehicle or equipment traffic.

Sincerely, Roderick Luke Chan Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

### Section 245.825 General Fluid Storage

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Sincerely, Rohit Satishchandra Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

### Section 245.825 General Fluid Storage

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Sincerely, Ryan Kidman Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Ryn Grantham  
Grantham Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

### Section 245.825 General Fluid Storage

This section lacks the specificity needed to insure that fracking will be conducted in a manner that will protect the public health and safety and prevent pollution or diminution of any water source. (Statute 1-53(4)) "Compatible" (245.825(a)(2), (c)(1)). The regulations should clarify what is "compatible" for purposes of provisions that tanks and "piping, conveyances, ... must be constructed of materials compatible with the composition of the fracking fluid...." Specifically, the Department should clarify that "compatible" includes being resistant to corrosion, erosion, swelling, or degradation that may result from such contact. Corrosion inspection (245.825(a)(5)). The Department should define what is meant by the requirement that above-ground tanks be "routinely" inspected for corrosion, i.e., specify a time interval. Secondary containment (245.825(b)). The Department should require that secondary containment be designed and constructed in accordance with good engineering practices, including: (a) Using coated or lined materials that are chemically compatible with the environment and the substances to be contained; (b) Providing adequate freeboard; (c) Protecting containment from heavy vehicle or equipment traffic.

Sincerely, Ryn Grantham  
Grantham Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Sarah Quesnell Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Sarah Quesnell Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Shawn Mukherji Chicago, IL 60605



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Shreya Kathuria Vernon Hills, IL 60061

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

### Section 245.825 General Fluid Storage

This section lacks the specificity needed to insure that fracking will be conducted in a manner that will protect the public health and safety and prevent pollution or diminution of any water source. (Statute 1-53(4)) "Compatible" (245.825(a)(2), (c)(1)). The regulations should clarify what is "compatible" for purposes of provisions that tanks and "piping, conveyances, ... must be constructed of materials compatible with the composition of the fracking fluid...." Specifically, the Department should clarify that "compatible" includes being resistant to corrosion, erosion, swelling, or degradation that may result from such contact. Corrosion inspection (245.825(a)(5)). The Department should define what is meant by the requirement that above-ground tanks be "routinely" inspected for corrosion, i.e., specify a time interval. Secondary containment (245.825(b)). The Department should require that secondary containment be designed and constructed in accordance with good engineering practices, including: (a) Using coated or lined materials that are chemically compatible with the environment and the substances to be contained; (b) Providing adequate freeboard; (c) Protecting containment from heavy vehicle or equipment traffic.

Sincerely, Simone Serhan Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Sloane Moore River Forest, IL 60305

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, sonja chan 944 w walnut st kankakee, IL 60901

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, sonja chan 944 w walnut st kankakee, IL 60901

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Sophia Johnson Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Stanley Archacki Westmont, IL 60559

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Stanley Archacki Westmont, IL 60559



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Stanley Archacki Westmont, IL 60559

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Sylvia Glauster 1327 E 52nd St #302 Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

### Section 245.825 General Fluid Storage

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Sincerely, Sylvia Glauster 1327 E 52nd St #302 Chicago, IL 60615

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Sylvia Glauster 1327 E 52nd St #302 Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Ta Promlee Chicago, IL 60645

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Tarek Amrouch Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Tarek Amrouch Chicago, IL 60605

## Fair Economy Illinois

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Sincerely, Tarek Amrouch Chicago, IL 60605



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Tim Law Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Tommy Talley Chicago, IL 60617

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

### Section 245.825 General Fluid Storage

This section lacks the specificity needed to insure that fracking will be conducted in a manner that will protect the public health and safety and prevent pollution or diminution of any water source. (Statute 1-53(4)) "Compatible" (245.825(a)(2), (c)(1)). The regulations should clarify what is "compatible" for purposes of provisions that tanks and "piping, conveyances, ... must be constructed of materials compatible with the composition of the fracking fluid...." Specifically, the Department should clarify that "compatible" includes being resistant to corrosion, erosion, swelling, or degradation that may result from such contact. Corrosion inspection (245.825(a)(5)). The Department should define what is meant by the requirement that above-ground tanks be "routinely" inspected for corrosion, i.e., specify a time interval. Secondary containment (245.825(b)). The Department should require that secondary containment be designed and constructed in accordance with good engineering practices, including: (a) Using coated or lined materials that are chemically compatible with the environment and the substances to be contained; (b) Providing adequate freeboard; (c) Protecting containment from heavy vehicle or equipment traffic.

Sincerely, Tori Root Naperville, IL 60564

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Vincent Beltrano Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Virginia Baker Chicago, IL 60608

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Weili Zheng Chicago, IL 60607

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Westin Campo Chicago, IL 60608

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Will Fernandez Chicago, IL 60615



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, William LaBounty Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, William LaBounty Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, William LaBounty Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, William Thomas Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, William Thomas Chicago, IL 60637

## Fair Economy Illinois

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Sincerely, William Toole Godfrey, IL 62035

## Fair Economy Illinois

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Sincerely, Young-In Chicago, IL 60637

## Fair Economy Illinois

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Sincerely, Young-In Chicago, IL 60637



## Fair Economy Illinois

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Sincerely, Yvette McGivern Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Yvette McGivern Chicago, IL 60637

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Sincerely, Zach Taylor Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

### Section 245.825 General Fluid Storage

When writing scientific papers and directions for experiments, as a biology major I learned about the importance of being specific in writing directions and rules. If I was writing the procedures of an experiment as part of a research paper, there would be no way I could use the word "compatible" without specifically stating the products and equipment that are compatible. Furthermore, if I were to inspect anything "routinely", I must write down what that means, such as daily, weekly, or monthly, etc. Relevant parts of the Proposed Administrative Rules: Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations (245.800-245.870) 245.825 General Fluid Storage This section lacks the specificity needed to insure that fracking will be conducted in a manner that will protect the public health and safety and prevent pollution or diminution of any water source. (Statute 1-53(4)) "Compatible" (245.825(a)(2), (c)(1)). The regulations should clarify what is "compatible" for purposes of provisions that tanks and "piping, conveyances, ... must be constructed of materials compatible with the composition of the fracking fluid...." Specifically, the Department should clarify that "compatible" includes being resistant to corrosion, erosion, swelling, or degradation that may result from such contact. Corrosion inspection (245.825(a)(5)). The Department should define what is meant by the requirement that above-ground tanks be "routinely" inspected for corrosion, i.e., specify a time interval. Secondary containment (245.825(b)). The Department should require that secondary containment be designed and constructed in accordance with good engineering practices, including: (a) Using coated or lined materials that are chemically compatible with the environment and the substances to be contained; (b) Providing adequate freeboard; (c) Protecting containment from heavy vehicle or equipment traffic.

Sincerely, Bing Li Chicago, IL 60608

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Bing Li Chicago, IL 60608

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, B. E. Murphy 458 Tahoe Park Forest, IL 60466

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

245.850 should be modified to state that excess flowback and produced water stored in open pit must be removed within 7 days of the time when pit storage began. This is clearly the intent of section 1-75 of the Hydraulic Fracturing Regulatory Act.

Sincerely, Eileen Sutter 4125 North Monticello Chicago, IL 60618

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

A woman who was very influential to my life passed away 3 years ago from cancer. Her doctor explained to us that the cause of her cancer must have been environmental since she was still rather young, only being middle aged. The most likely cause, the doctor explained, was the year that she spent living in a very polluted region of Egypt. As the government lacked proper regulation and enforcement of the pollution of the area and storage of waste, many carcinogens and electronic waste ended up in the environment where people and families spent their time. This woman was very close to me and was the sole caretaker of five children. After she died, it has been extremely difficult on her children, family, and friends. It is heartbreaking that many moments, such as the high school graduation of three of the children and her sons engagement, would have to happen without her presence. This experience has been heartbreaking. If having stronger rules on the storage and testing of wastewater could just help the health of one person, then it will be worth it. Comment/Problem(s)/Needed Revisions: Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Notably absent from these proposed rules is a requirement for the testing of "produced water", the fluid that returns from the well during the later stage of production (after flowback). Under the proposed rules, "produced water" can be stored on site and/or can be "recycled", yet there is no testing requirement. Naturally occurring radioactive material (NORM) is found in "produced water" also. See Technologically enhanced naturally occurring radioactive materials in the oil industry (TENORM), Nukleonika 2009; 54(1):3-9, and sources cited therein, especially for TENORM in produced water in the U.S., available at [http://www.nukleonika.pl/www/back/full/vol54\\_2009/v54n1p003f.pdf](http://www.nukleonika.pl/www/back/full/vol54_2009/v54n1p003f.pdf). See also NORM is also found on scale in oil pipes and on fracking equipment. (See Kentucky Resources Council Proposes Comprehensive Plan For Investigating Radiological Contamination In Martha Oil Field. August 11, 2005. <http://www.kyrc.org/webnewspro/112381723236086.shtml>.) IDNR's definitions of "flowback water" and "produced water" are different. The two are distinguishably different enough that they are treated as separate types of fluid by both the Hydraulic Fracturing Regulatory Act and by the DNR Rules. Discharge of produced water onto the ground or into surface water or water drainage way is prohibited but it is not tested for radioactivity. This despite the fact that this fluid will be in contact with the naturally occurring radioactive elements in the ground for a longer period that the flowback and that it is much more likely to be radioactive. Problems: Failure to test produced water for radioactivity is problematic for a variety of reasons including: The health and safety of workers on the site who will be unaware of the levels of radioactivity they are being exposed to. The health and safety of workers transporting produced water who will also be in the dark regarding the levels of radioactivity they will be exposed to. The risk of storing radioactive material in tanks not created for storing radioactive materials. The risk of "recycling" produced water—radioactivity cannot be removed by recycling. The risk to the public in transporting radioactive materials Argonne National Laboratory recently cautioned



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about radiological doses: "It is commonly accepted that efforts should be undertaken at all times to keep radiological doses 'as low as reasonably achievable,' which is referred to as the ALARA principle or requirement." Overview of Radiological Dose and Risk Assessment (April 2011). DNR is failing to even adequately test for radioactivity and therefore, will not know the levels of radioactivity. How, then, can DNR adequately protect workers and the general public? Revisions needed: At a bare minimum, the rules should require that "produced water" be tested at two separate intervals across time for radioactivity. This is already required in Pennsylvania. The rules should also require that the requirements of the Illinois Low Level Radioactivity Waste Management Act be followed.

Sincerely, Harry Li 2656 Boddington Lane Naperville, IL 60564

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Abby Dompke Chicago, IL 60607

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Alen Makhmudov Chicago, IL 60637

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Sincerely, Alex Farrenkopf Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Alicia Klepfer Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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## Fair Economy Illinois

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Sincerely, Alonzo Cummins Chicago, IL 60612

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Alyssa Carabez Carabez Brookfield, IL 60573

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Amelia Dmouska Chciago, IL 60637

## Fair Economy Illinois

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Sincerely, andrew hwang Chicago, IL 60615

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Sincerely, Andrew Sigman Chicago, IL 60651

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Angela Li Chicago, IL 60637

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Sincerely, Anica Washington Chicago, IL 60619

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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## Fair Economy Illinois

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Sincerely, Anica Washington Chicago, IL 60619

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Anna Betts Chicago, IL 60607

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Anna Ronnen Chicago, IL 60637

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Sincerely, Anna Woolery Chicago, IL 60637



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Sincerely, Brandi Madrid Chicago, IL 60640

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Brian Menzel Chicago, IL 60608

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Sincerely, Bruce Ostdick Elgin, IL 60123

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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DNR adequately protect workers and the general public? Elaboration: IDNR does not define a Fixed Date ( $\pm X$  days) for testing. Day 1, <Hour 1 test results will be orders of magnitude lower than either Day 2 or Day 10 tests results, and Day 10 tests results will be significantly lower than Day 80 ( $\pm 7$  days) results. Failure to specify a Fixed Test Date ( $\pm X$  days) renders test data so many irrelevant apples and oranges and allows companies to report suppressed, meaningless results by reporting Day 1, < 1 Hour data. The figure below, provided by the USGS, illustrates the nature of the problem. Please note that radium is not tested at Day 1, < 1 Hour. However, radium coprecipitates with barium, which is represented in total dissolved solids (TDS). It will therefore track TDS fairly closely. Conclusion: companies will be testing the very first flowback water to emerge from a fracked well. It will be Day 1, Minute 1 test results. 2.) There are two pits on a frack pad, one for "emergency" flowback and another, smaller one for drill cuttings and drilling mud. It is a basic principle in horizontal fracking to steer the drill bit through the horizontal strata with the highest gamma radiation readings (GAPI logs). The reason is that radioactivity correlates highly with total organic content (TOC) in the rock, and TOC correlates highly with oil and gas yields. This means that rock cuttings in the smaller drill mud and cuttings frack pit will often be more radioactive than flowback water. The IDNR knows this; yet it does not call for testing of drill bit pits as allowed under the Powers and duties section of the Act (§1- 15). 3.) The term "adjacent to" requires a "precise, clear standard" [IAPA, §100/5-20]. None is given. Does "adjacent to" mean 6 inches, 16 inches, 6 feet, 16 feet, or 60 feet? The IDNR does not say. 4.) Frack pad pipes and equipment can become incredibly radioactive over time. The very large temperature and pressure drops, as fluids move to the surface from thousands of feet underground, means that aqueous radioactive salts precipitate out as scale on pipes and equipment. The levels of radioactivity in pipe scale can exceed 100,000 picoCuries per gram and constitute a hazard to workers, or others who are exposed to recycled scrap metal from gas and oil operations. Yet, IDNR does not call on its General Assembly deferred "Power and authority" [Act, §1-15(e)] to test pipe, tanks, sludge, and equipment. This issue has been an issue in the oil and gas industry since the 1980s. Consequences: According to studies by the Illinois State Geological Survey, the Illinois New Albany Shale Formation, the source rock for our oil and gas reserves, has above average levels of uranium (29 ppm). Uranium decays into radium and thence radon. Both uranium and radium are water soluble. As noted, the U.S. Geological Survey has found oil field brine or produced water in Southern Illinois to have Radium226 levels that average more than 1,000 picoCuries / liter (USGS 1999). That reading is 67 times above the maximum contamination level of the EPA. Radium226 has a half life of 1,600 years. Uranium228 has a half life of 4.468 billion years. If these water soluble salts leach into our aquifers, nearby communities will require--if possible--very expensive water treatment for the next 1,000 years. We may have to return to rainwater harvesting with the modern equivalent of cisterns. The radioactive levels for produced water from shale gas operations are likely to be 2 to 4 times higher than oilfield brine -- on average, 2,000 to 4,000 picoCuries per liter. In addition, radon levels in methane, propane, and ethane can be dangerously high. When it becomes commercial to extract shale gas from the SE corner of the state, major markets, such as Springfield and Chicago, will only be 0.9 and 1.4 days removed from shale gas wellheads. Even though radon222 has a half life of only 3.8 days, the closeness of major Illinois retail gas markets will mean that large number of people will be breathing in high levels of radon when they cook meals. The average level of indoor exposure to radon in Illinois is already 4.4

## Fair Economy Illinois

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Sincerely, Bruce Ostdick Elgin, IL 60123

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Camil Machaj Lemont, IL 60439



## Fair Economy Illinois

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Sincerely, Carla Hunter Chicago, IL 60605

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Sincerely, Cindy Chung Chicago, IL 60637

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Sincerely, Curtis Morris Chicago, IL 60607

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Curtis Morris Chicago, IL 60607

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Sincerely, Dakota Dompke Belleville, IL 62221

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Sincerely, Dakota Dompke Belleville, IL 62221



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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## Fair Economy Illinois

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Sincerely, David Klawitter Chicago, IL 60607

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, David Zask NY, IL 10128

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Sincerely, David Zask NY, IL 10128

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Sincerely, Donovan Snyder Snyder Chicago, IL 60605

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Dylan Amlin Chicago, IL 60605

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Sincerely, Dylan Busser Chicago, IL 60647

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Edith Villavicencio New York, IL 10003



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Elias Friedman Chicago, IL 60605

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## Fair Economy Illinois

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Sincerely, Elias Friedman Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Florence Elgin, IL 60123

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Florence Elgin, IL 60123

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Sincerely, Francisco Spaulding Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Frank Pettis Chicago, IL 60605

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Sincerely, Gadrel Williams Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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DNR adequately protect workers and the general public? Elaboration: IDNR does not define a Fixed Date ( $\pm X$  days) for testing. Day 1, <Hour 1 test results will be orders of magnitude lower than either Day 2 or Day 10 tests results, and Day 10 tests results will be significantly lower than Day 80 ( $\pm 7$  days) results. Failure to specify a Fixed Test Date ( $\pm X$  days) renders test data so many irrelevant apples and oranges and allows companies to report suppressed, meaningless results by reporting Day 1, < 1 Hour data. The figure below, provided by the USGS, illustrates the nature of the problem. Please note that radium is not tested at Day 1, < 1 Hour. However, radium coprecipitates with barium, which is represented in total dissolved solids (TDS). It will therefore track TDS fairly closely. Conclusion: companies will be testing the very first flowback water to emerge from a fracked well. It will be Day 1, Minute 1 test results. 2.) There are two pits on a frack pad, one for "emergency" flowback and another, smaller one for drill cuttings and drilling mud. It is a basic principle in horizontal fracking to steer the drill bit through the horizontal strata with the highest gamma radiation readings (GAPI logs). The reason is that radioactivity correlates highly with total organic content (TOC) in the rock, and TOC correlates highly with oil and gas yields. This means that rock cuttings in the smaller drill mud and cuttings frack pit will often be more radioactive than flowback water. The IDNR knows this; yet it does not call for testing of drill bit pits as allowed under the Powers and duties section of the Act (§1- 15). 3.) The term "adjacent to" requires a "precise, clear standard" [IAPA, §100/5-20]. None is given. Does "adjacent to" mean 6 inches, 16 inches, 6 feet, 16 feet, or 60 feet? The IDNR does not say. 4.) Frack pad pipes and equipment can become incredibly radioactive over time. The very large temperature and pressure drops, as fluids move to the surface from thousands of feet underground, means that aqueous radioactive salts precipitate out as scale on pipes and equipment. The levels of radioactivity in pipe scale can exceed 100,000 picoCuries per gram and constitute a hazard to workers, or others who are exposed to recycled scrap metal from gas and oil operations. Yet, IDNR does not call on its General Assembly deferred "Power and authority" [Act, §1-15(e)] to test pipe, tanks, sludge, and equipment. This issue has been an issue in the oil and gas industry since the 1980s. Consequences: According to studies by the Illinois State Geological Survey, the Illinois New Albany Shale Formation, the source rock for our oil and gas reserves, has above average levels of uranium (29 ppm). Uranium decays into radium and thence radon. Both uranium and radium are water soluble. As noted, the U.S. Geological Survey has found oil field brine or produced water in Southern Illinois to have Radium226 levels that average more than 1,000 picoCuries / liter (USGS 1999). That reading is 67 times above the maximum contamination level of the EPA. Radium226 has a half life of 1,600 years. Uranium228 has a half life of 4.468 billion years. If these water soluble salts leach into our aquifers, nearby communities will require--if possible--very expensive water treatment for the next 1,000 years. We may have to return to rainwater harvesting with the modern equivalent of cisterns. The radioactive levels for produced water from shale gas operations are likely to be 2 to 4 times higher than oilfield brine -- on average, 2,000 to 4,000 picoCuries per liter. In addition, radon levels in methane, propane, and ethane can be dangerously high. When it becomes commercial to extract shale gas from the SE corner of the state, major markets, such as Springfield and Chicago, will only be 0.9 and 1.4 days removed from shale gas wellheads. Even though radon222 has a half life of only 3.8 days, the closeness of major Illinois retail gas markets will mean that large number of people will be breathing in high levels of radon when they cook meals. The average level of indoor exposure to radon in Illinois is already 4.4

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Sincerely, Girwana Baker Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Grace Pai Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Gus Novoa Chicago, IL 60637

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Gus Novoa Chicago, IL 60637



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Sincerely, Jady YTolda chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, James Alstrum Normal, IL 61761

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Sincerely, James Alstrum Normal, IL 61761

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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## Fair Economy Illinois

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Sincerely, James Wauer Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Jason Busser Dixon, IL 61021

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Sincerely, Jeff Engstrom Urbana, IL 61801

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Sincerely, Jesse Silliman Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Joanna Stauder Belleville, IL 62220

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Sincerely, Joe Kapran Chicago, IL 60615



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Joey Knotts Chicago, IL 60605

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Sincerely, Johh Haggerty NYC, IL 11215

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Sincerely, John Gamino Chicago, IL 60615

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Joseph Gary New York, IL 10003

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Sincerely, Kaijie Wang Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Act §1-75(a)7 requires radioactivity testing "once per well site" for (1) flowback water and ground "adjacent to" (2) storage tanks and (3) reserve pits. Act § 1-120 requires IDNR compliance with all "applicable federal, State, and local laws." One applicable State law is the Illinois Low-Level Radioactive Waste Management Act (PA 83-991 / 420ILCS20). Another is the Occupational Health and Safety Administration (OSHA) standards for workplace safety in settings with exposure to radioactivity (29 CFR 1910.1096). Rules §245.850(d)1-E and §245.850(e) are incomplete and deficient, and these inadequacies can "constitute a serious threat"--indeed, deadly threat-- "to the public interest, safety, or welfare" of Illinois citizens." Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Notably absent from these proposed rules is a requirement for the testing of "produced water", the fluid that returns from the well during the later stage of production (after flowback). Under the proposed rules, "produced water" can be stored on site and/or can be "recycled", yet there is no testing requirement. Naturally occurring radioactive material (NORM) is found in "produced water" also. See Technologically enhanced naturally occurring radioactive materials in the oil industry (TENORM), Nukleonika 2009; 54(1):3-9, and sources cited therein, especially for TENORM in produced water in the U.S., available at [http://www.nukleonika.pl/www/back/full/vol54\\_2009/v54n1p003f.pdf](http://www.nukleonika.pl/www/back/full/vol54_2009/v54n1p003f.pdf). See also NORM is also found on scale in oil pipes and on fracking equipment. (See Kentucky Resources Council Proposes Comprehensive Plan For Investigating Radiological Contamination In Martha Oil Field. August 11, 2005. <http://www.kyrc.org/webnewspro/112381723236086.shtml>.) IDNR's definitions of "flowback water" and "produced water" are different. The two are distinguishably different enough that they are treated as separate types of fluid by both the Hydraulic Fracturing Regulatory Act and by the DNR Rules. Discharge of produced water onto the ground or into surface water or water drainage way is prohibited but it is not tested for radioactivity. This despite the fact that this fluid will be in contact with the naturally occurring radioactive elements in the ground for a longer period than the flowback and that it is much more likely to be radioactive. Problems: Failure to test produced water for radioactivity is problematic for a variety of reasons including: The health and safety of workers on the site who will be unaware of the levels of radioactivity they are being exposed to. The health and safety of workers transporting produced water who will also be in the dark regarding the levels of radioactivity they will be exposed to. The risk of storing radioactive material in tanks not created for storing radioactive materials. The risk of "recycling" produced water—radioactivity cannot be removed by recycling. The risk to the public in transporting radioactive materials Argonne National Laboratory recently cautioned about radiological doses: "It is commonly accepted that efforts should be undertaken at all times to keep radiological doses 'as low as reasonably achievable,' which is referred to as the ALARA principle or requirement." Overview of Radiological Dose and Risk Assessment (April 2011). DNR is failing to even adequately test for radioactivity and therefore, will not know the levels of radioactivity. How, then, can

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Sincerely, Kaijie Wang Chicago, IL 60615



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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Kaitlon Busser Dixon, IL 61021

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Sincerely, Kathryn Chapman Hamburg, IL 62045

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Kathy Machaj Chicago, IL 60607

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Sincerely, Kathy Machaj Chicago, IL 60607

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Kayli Horne Chicago, IL 60615

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Sincerely, Kelsey Chicago, IL 60631



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Sincerely, Kevin Casto Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Kevin Casto Chicago, IL 60615

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Sincerely, Kiehlor Mack Chicago, IL 60637

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Sincerely, Kris Chatterjee Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Lavine Hemlani Chicago, IL 60637

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Lexington Lawson Chicago, IL 60640



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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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## Fair Economy Illinois

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Sincerely, Louis Clark Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Louis Clark Chicago, IL 60637

## Fair Economy Illinois

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Sincerely, Lupita Carrasquillo Chicago, IL 60605

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## Fair Economy Illinois

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pCi/L ( American Lung Association 2013). The EPA maximum level--the point at which corrective action should be taken--is 4.0 pCi/L, and the preferred level is =3.0 pCi/L. The turn to shale gas, with its high levels of radon, will also turn a major Illinois public health problem in the wrong direction. Radioactive scale in pipe and equipment presents another problem; high levels of radioactivity have been found in school playground equipment and bleachers in school sports stadiums in Mississippi and Texas. Do we want untested oil and gas field scrap metal sold into Illinois markets? Do we want our children exposed on a daily basis to radioactive metal? The present rules creates no barriers to such an outcome. The problems cited above are why Illinois, with its large number of nuclear power plants, has a Low-Level Radioactive Waste Management Act. It and OSHA are the applicable State and Federal agencies with respect to the issue of radioactive waste and work safety standards in settings with exposure to radioactivity. If we faithfully follow applicable State and federal laws, Illinois can minimize the pernicious problems other states are going to face from the uncontrolled release of radioactive elements into their water and soil and work and non-work settings. We should prevent these problem from the start. Cleanup, after the oil and gas industry is gone, will be dreadfully expensive.. Recommendations: 1. Define the test date as = Day 21, the point at which increases in test results begin to level off. 2. Test for "radioactivity" in (1) flowback/produced water, (2) drill cuttings, soil "adjacent to" (3) storage tanks and (4) reserve pits, and (5) pipes and well pad equipment. 3. Define "adjacent to" as between 6 and 12 inches with test samples to be taken within the top 6 inches of soil 4. The rules should also require that the requirements of the Illinois Low Level Radioactivity Waste Management Act be followed.

Sincerely, Lupita Carrasquillo Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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## Fair Economy Illinois

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DNR adequately protect workers and the general public? Elaboration: IDNR does not define a Fixed Date ( $\pm X$  days) for testing. Day 1, <Hour 1 test results will be orders of magnitude lower than either Day 2 or Day 10 tests results, and Day 10 tests results will be significantly lower than Day 80 ( $\pm 7$  days) results. Failure to specify a Fixed Test Date ( $\pm X$  days) renders test data so many irrelevant apples and oranges and allows companies to report suppressed, meaningless results by reporting Day 1, < 1 Hour data. The figure below, provided by the USGS, illustrates the nature of the problem. Please note that radium is not tested at Day 1, < 1 Hour. However, radium coprecipitates with barium, which is represented in total dissolved solids (TDS). It will therefore track TDS fairly closely. Conclusion: companies will be testing the very first flowback water to emerge from a fracked well. It will be Day 1, Minute 1 test results. 2.) There are two pits on a frack pad, one for "emergency" flowback and another, smaller one for drill cuttings and drilling mud. It is a basic principle in horizontal fracking to steer the drill bit through the horizontal strata with the highest gamma radiation readings (GAPI logs). The reason is that radioactivity correlates highly with total organic content (TOC) in the rock, and TOC correlates highly with oil and gas yields. This means that rock cuttings in the smaller drill mud and cuttings frack pit will often be more radioactive than flowback water. The IDNR knows this; yet it does not call for testing of drill bit pits as allowed under the Powers and duties section of the Act (§1- 15). 3.) The term "adjacent to" requires a "precise, clear standard" [IAPA, §100/5-20]. None is given. Does "adjacent to" mean 6 inches, 16 inches, 6 feet, 16 feet, or 60 feet? The IDNR does not say. 4.) Frack pad pipes and equipment can become incredibly radioactive over time. The very large temperature and pressure drops, as fluids move to the surface from thousands of feet underground, means that aqueous radioactive salts precipitate out as scale on pipes and equipment. The levels of radioactivity in pipe scale can exceed 100,000 picoCuries per gram and constitute a hazard to workers, or others who are exposed to recycled scrap metal from gas and oil operations. Yet, IDNR does not call on its General Assembly deferred "Power and authority" [Act, §1-15(e)] to test pipe, tanks, sludge, and equipment. This issue has been an issue in the oil and gas industry since the 1980s. Consequences: According to studies by the Illinois State Geological Survey, the Illinois New Albany Shale Formation, the source rock for our oil and gas reserves, has above average levels of uranium (29 ppm). Uranium decays into radium and thence radon. Both uranium and radium are water soluble. As noted, the U.S. Geological Survey has found oil field brine or produced water in Southern Illinois to have Radium226 levels that average more than 1,000 picoCuries / liter (USGS 1999). That reading is 67 times above the maximum contamination level of the EPA. Radium226 has a half life of 1,600 years. Uranium228 has a half life of 4.468 billion years. If these water soluble salts leach into our aquifers, nearby communities will require--if possible--very expensive water treatment for the next 1,000 years. We may have to return to rainwater harvesting with the modern equivalent of cisterns. The radioactive levels for produced water from shale gas operations are likely to be 2 to 4 times higher than oilfield brine -- on average, 2,000 to 4,000 picoCuries per liter. In addition, radon levels in methane, propane, and ethane can be dangerously high. When it becomes commercial to extract shale gas from the SE corner of the state, major markets, such as Springfield and Chicago, will only be 0.9 and 1.4 days removed from shale gas wellheads. Even though radon222 has a half life of only 3.8 days, the closeness of major Illinois retail gas markets will mean that large number of people will be breathing in high levels of radon when they cook meals. The average level of indoor exposure to radon in Illinois is already 4.4

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Sincerely, maayan olshan Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Maddison Davis Chicago, IL 60605



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Madeline McCann Chicago, IL 60637

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Sincerely, Maheema Haque Chicago, IL 60637

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Sincerely, Maryann Condren Naperville, IL 60540

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Sincerely, Matt Chappell Tuscola, IL 61953

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Matthew Raigosa Chicago, IL 60608

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Sincerely, Matthew Raigosa Chicago, IL 60608



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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## Fair Economy Illinois

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Sincerely, Michael Perino Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Michael Perino Chicago, IL 60637

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Sincerely, Molly Connor Chicago, IL 60605

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Sincerely, Molly Connor Chicago, IL 60605

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Sincerely, Nancy Penney Monticello, IL 61856

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Natalya Glaser Chicago, IL 60637



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Noah Hellermann New York, IL 11218

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## Fair Economy Illinois

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Sincerely, Noah Hellermann New York, IL 11218

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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## Fair Economy Illinois

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Sincerely, Nora Helfand Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Nour Abdelmonem Chicago, IL 60637

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Sincerely, Olivia Stovicek Chicago, IL 60637

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Sincerely, Olivia Stovicek Chicago, IL 60637

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Sincerely, Patricia Simpson Philo, IL 61864



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Sincerely, Patrick Dexter Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Paul Papoutzz Chicago, IL 60637

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Sincerely, Paulo Nacimiento Chicago, IL 60637

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Sincerely, Paulo Nacimiento Chicago, IL 60637

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Rachel Pinker Chicago, IL 60637



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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Raj Kapoor Oak Park, IL 60302

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Rebecca McBride Mahomet, IL 61875

## Fair Economy Illinois

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Sincerely, Rebekah Sugarman Syosset, IL 11791

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## Fair Economy Illinois

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Sincerely, Roberta Weiner Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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DNR adequately protect workers and the general public? Elaboration: IDNR does not define a Fixed Date ( $\pm X$  days) for testing. Day 1, <Hour 1 test results will be orders of magnitude lower than either Day 2 or Day 10 tests results, and Day 10 tests results will be significantly lower than Day 80 ( $\pm 7$  days) results. Failure to specify a Fixed Test Date ( $\pm X$  days) renders test data so many irrelevant apples and oranges and allows companies to report suppressed, meaningless results by reporting Day 1, < 1 Hour data. The figure below, provided by the USGS, illustrates the nature of the problem. Please note that radium is not tested at Day 1, < 1 Hour. However, radium coprecipitates with barium, which is represented in total dissolved solids (TDS). It will therefore track TDS fairly closely. Conclusion: companies will be testing the very first flowback water to emerge from a fracked well. It will be Day 1, Minute 1 test results. 2.) There are two pits on a frack pad, one for "emergency" flowback and another, smaller one for drill cuttings and drilling mud. It is a basic principle in horizontal fracking to steer the drill bit through the horizontal strata with the highest gamma radiation readings (GAPI logs). The reason is that radioactivity correlates highly with total organic content (TOC) in the rock, and TOC correlates highly with oil and gas yields. This means that rock cuttings in the smaller drill mud and cuttings frack pit will often be more radioactive than flowback water. The IDNR knows this; yet it does not call for testing of drill bit pits as allowed under the Powers and duties section of the Act (§1- 15). 3.) The term "adjacent to" requires a "precise, clear standard" [IAPA, §100/5-20]. None is given. Does "adjacent to" mean 6 inches, 16 inches, 6 feet, 16 feet, or 60 feet? The IDNR does not say. 4.) Frack pad pipes and equipment can become incredibly radioactive over time. The very large temperature and pressure drops, as fluids move to the surface from thousands of feet underground, means that aqueous radioactive salts precipitate out as scale on pipes and equipment. The levels of radioactivity in pipe scale can exceed 100,000 picoCuries per gram and constitute a hazard to workers, or others who are exposed to recycled scrap metal from gas and oil operations. Yet, IDNR does not call on its General Assembly deferred "Power and authority" [Act, §1-15(e)] to test pipe, tanks, sludge, and equipment. This issue has been an issue in the oil and gas industry since the 1980s. Consequences: According to studies by the Illinois State Geological Survey, the Illinois New Albany Shale Formation, the source rock for our oil and gas reserves, has above average levels of uranium (29 ppm). Uranium decays into radium and thence radon. Both uranium and radium are water soluble. As noted, the U.S. Geological Survey has found oil field brine or produced water in Southern Illinois to have Radium226 levels that average more than 1,000 picoCuries / liter (USGS 1999). That reading is 67 times above the maximum contamination level of the EPA. Radium226 has a half life of 1,600 years. Uranium228 has a half life of 4.468 billion years. If these water soluble salts leach into our aquifers, nearby communities will require--if possible--very expensive water treatment for the next 1,000 years. We may have to return to rainwater harvesting with the modern equivalent of cisterns. The radioactive levels for produced water from shale gas operations are likely to be 2 to 4 times higher than oilfield brine -- on average, 2,000 to 4,000 picoCuries per liter. In addition, radon levels in methane, propane, and ethane can be dangerously high. When it becomes commercial to extract shale gas from the SE corner of the state, major markets, such as Springfield and Chicago, will only be 0.9 and 1.4 days removed from shale gas wellheads. Even though radon222 has a half life of only 3.8 days, the closeness of major Illinois retail gas markets will mean that large number of people will be breathing in high levels of radon when they cook meals. The average level of indoor exposure to radon in Illinois is already 4.4

## Fair Economy Illinois

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Sincerely, Roberta Weiner Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Ryan Kidman Chicago, IL 60637



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Sam Vexler Chicago, IL 60637

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, sam zacher Chicago, IL 60637

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Sincerely, Sandeep Malladi Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Sasha Mitrofanenko Chicago, IL 60605

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Scott Condren Chicago, IL 60608

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Sincerely, Sean Tyler Chicago, IL 60605



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Shaden Amara Naperville, IL 60564

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Sincerely, Shaden Amara Naperville, IL 60564

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Sincerely, Shreya Kalva Chicago, IL 60637

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Sincerely, Shreya Kalva Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Shreya Kathuria Vernon Hills, IL 60061



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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Sophia Johnson Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Ta Promlee Chicago, IL 60645

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Sincerely, Tybee McLaughlin Chicago, IL 60605

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## Fair Economy Illinois

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Sincerely, Virginia Baker Chicago, IL 60608

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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DNR adequately protect workers and the general public? Elaboration: IDNR does not define a Fixed Date ( $\pm X$  days) for testing. Day 1, <Hour 1 test results will be orders of magnitude lower than either Day 2 or Day 10 tests results, and Day 10 tests results will be significantly lower than Day 80 ( $\pm 7$  days) results. Failure to specify a Fixed Test Date ( $\pm X$  days) renders test data so many irrelevant apples and oranges and allows companies to report suppressed, meaningless results by reporting Day 1, < 1 Hour data. The figure below, provided by the USGS, illustrates the nature of the problem. Please note that radium is not tested at Day 1, < 1 Hour. However, radium coprecipitates with barium, which is represented in total dissolved solids (TDS). It will therefore track TDS fairly closely. Conclusion: companies will be testing the very first flowback water to emerge from a fracked well. It will be Day 1, Minute 1 test results. 2.) There are two pits on a frack pad, one for "emergency" flowback and another, smaller one for drill cuttings and drilling mud. It is a basic principle in horizontal fracking to steer the drill bit through the horizontal strata with the highest gamma radiation readings (GAPI logs). The reason is that radioactivity correlates highly with total organic content (TOC) in the rock, and TOC correlates highly with oil and gas yields. This means that rock cuttings in the smaller drill mud and cuttings frack pit will often be more radioactive than flowback water. The IDNR knows this; yet it does not call for testing of drill bit pits as allowed under the Powers and duties section of the Act (§1- 15). 3.) The term "adjacent to" requires a "precise, clear standard" [IAPA, §100/5-20]. None is given. Does "adjacent to" mean 6 inches, 16 inches, 6 feet, 16 feet, or 60 feet? The IDNR does not say. 4.) Frack pad pipes and equipment can become incredibly radioactive over time. The very large temperature and pressure drops, as fluids move to the surface from thousands of feet underground, means that aqueous radioactive salts precipitate out as scale on pipes and equipment. The levels of radioactivity in pipe scale can exceed 100,000 picoCuries per gram and constitute a hazard to workers, or others who are exposed to recycled scrap metal from gas and oil operations. Yet, IDNR does not call on its General Assembly deferred "Power and authority" [Act, §1-15(e)] to test pipe, tanks, sludge, and equipment. This issue has been an issue in the oil and gas industry since the 1980s. Consequences: According to studies by the Illinois State Geological Survey, the Illinois New Albany Shale Formation, the source rock for our oil and gas reserves, has above average levels of uranium (29 ppm). Uranium decays into radium and thence radon. Both uranium and radium are water soluble. As noted, the U.S. Geological Survey has found oil field brine or produced water in Southern Illinois to have Radium226 levels that average more than 1,000 picoCuries / liter (USGS 1999). That reading is 67 times above the maximum contamination level of the EPA. Radium226 has a half life of 1,600 years. Uranium228 has a half life of 4.468 billion years. If these water soluble salts leach into our aquifers, nearby communities will require--if possible--very expensive water treatment for the next 1,000 years. We may have to return to rainwater harvesting with the modern equivalent of cisterns. The radioactive levels for produced water from shale gas operations are likely to be 2 to 4 times higher than oilfield brine -- on average, 2,000 to 4,000 picoCuries per liter. In addition, radon levels in methane, propane, and ethane can be dangerously high. When it becomes commercial to extract shale gas from the SE corner of the state, major markets, such as Springfield and Chicago, will only be 0.9 and 1.4 days removed from shale gas wellheads. Even though radon222 has a half life of only 3.8 days, the closeness of major Illinois retail gas markets will mean that large number of people will be breathing in high levels of radon when they cook meals. The average level of indoor exposure to radon in Illinois is already 4.4

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Sincerely, Westin Campo Chicago, IL 60608

## Fair Economy Illinois

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Sincerely, Will Fernandez Chicago, IL 60615

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Sincerely, William LaBounty Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, William LaBounty Chicago, IL 60615

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Sincerely, William Toole Godfrey, IL 62035

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DNR adequately protect workers and the general public? Elaboration: IDNR does not define a Fixed Date ( $\pm X$  days) for testing. Day 1, <Hour 1 test results will be orders of magnitude lower than either Day 2 or Day 10 tests results, and Day 10 tests results will be significantly lower than Day 80 ( $\pm 7$  days) results. Failure to specify a Fixed Test Date ( $\pm X$  days) renders test data so many irrelevant apples and oranges and allows companies to report suppressed, meaningless results by reporting Day 1, < 1 Hour data. The figure below, provided by the USGS, illustrates the nature of the problem. Please note that radium is not tested at Day 1, < 1 Hour. However, radium coprecipitates with barium, which is represented in total dissolved solids (TDS). It will therefore track TDS fairly closely. Conclusion: companies will be testing the very first flowback water to emerge from a fracked well. It will be Day 1, Minute 1 test results. 2.) There are two pits on a frack pad, one for "emergency" flowback and another, smaller one for drill cuttings and drilling mud. It is a basic principle in horizontal fracking to steer the drill bit through the horizontal strata with the highest gamma radiation readings (GAPI logs). The reason is that radioactivity correlates highly with total organic content (TOC) in the rock, and TOC correlates highly with oil and gas yields. This means that rock cuttings in the smaller drill mud and cuttings frack pit will often be more radioactive than flowback water. The IDNR knows this; yet it does not call for testing of drill bit pits as allowed under the Powers and duties section of the Act (§1- 15). 3.) The term "adjacent to" requires a "precise, clear standard" [IAPA, §100/5-20]. None is given. Does "adjacent to" mean 6 inches, 16 inches, 6 feet, 16 feet, or 60 feet? The IDNR does not say. 4.) Frack pad pipes and equipment can become incredibly radioactive over time. The very large temperature and pressure drops, as fluids move to the surface from thousands of feet underground, means that aqueous radioactive salts precipitate out as scale on pipes and equipment. The levels of radioactivity in pipe scale can exceed 100,000 picoCuries per gram and constitute a hazard to workers, or others who are exposed to recycled scrap metal from gas and oil operations. Yet, IDNR does not call on its General Assembly deferred "Power and authority" [Act, §1-15(e)] to test pipe, tanks, sludge, and equipment. This issue has been an issue in the oil and gas industry since the 1980s. Consequences: According to studies by the Illinois State Geological Survey, the Illinois New Albany Shale Formation, the source rock for our oil and gas reserves, has above average levels of uranium (29 ppm). Uranium decays into radium and thence radon. Both uranium and radium are water soluble. As noted, the U.S. Geological Survey has found oil field brine or produced water in Southern Illinois to have Radium226 levels that average more than 1,000 picoCuries / liter (USGS 1999). That reading is 67 times above the maximum contamination level of the EPA. Radium226 has a half life of 1,600 years. Uranium228 has a half life of 4.468 billion years. If these water soluble salts leach into our aquifers, nearby communities will require--if possible--very expensive water treatment for the next 1,000 years. We may have to return to rainwater harvesting with the modern equivalent of cisterns. The radioactive levels for produced water from shale gas operations are likely to be 2 to 4 times higher than oilfield brine -- on average, 2,000 to 4,000 picoCuries per liter. In addition, radon levels in methane, propane, and ethane can be dangerously high. When it becomes commercial to extract shale gas from the SE corner of the state, major markets, such as Springfield and Chicago, will only be 0.9 and 1.4 days removed from shale gas wellheads. Even though radon222 has a half life of only 3.8 days, the closeness of major Illinois retail gas markets will mean that large number of people will be breathing in high levels of radon when they cook meals. The average level of indoor exposure to radon in Illinois is already 4.4



## Fair Economy Illinois

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pCi/L ( American Lung Association 2013). The EPA maximum level--the point at which corrective action should be taken--is 4.0 pCi/L, and the preferred level is =3.0 pCi/L. The turn to shale gas, with its high levels of radon, will also turn a major Illinois public health problem in the wrong direction. Radioactive scale in pipe and equipment presents another problem; high levels of radioactivity have been found in school playground equipment and bleachers in school sports stadiums in Mississippi and Texas. Do we want untested oil and gas field scrap metal sold into Illinois markets? Do we want our children exposed on a daily basis to radioactive metal? The present rules creates no barriers to such an outcome. The problems cited above are why Illinois, with its large number of nuclear power plants, has a Low-Level Radioactive Waste Management Act. It and OSHA are the applicable State and Federal agencies with respect to the issue of radioactive waste and work safety standards in settings with exposure to radioactivity. If we faithfully follow applicable State and federal laws, Illinois can minimize the pernicious problems other states are going to face from the uncontrolled release of radioactive elements into their water and soil and work and non-work settings. We should prevent these problem from the start. Cleanup, after the oil and gas industry is gone, will be dreadfully expensive.. Recommendations: 1. Define the test date as = Day 21, the point at which increases in test results begin to level off. 2. Test for "radioactivity" in (1) flowback/produced water, (2) drill cuttings, soil "adjacent to" (3) storage tanks and (4) reserve pits, and (5) pipes and well pad equipment. 3. Define "adjacent to" as between 6 and 12 inches with test samples to be taken within the top 6 inches of soil 4. The rules should also require that the requirements of the Illinois Low Level Radioactivity Waste Management Act be followed.

Sincerely, Zaid Mctabi Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

An 2011 article from the New York Times exposed the results of extensive review of "30,000 pages of federal, state and company records relating to more than 200 gas wells in Pennsylvania, 40 in West Virginia and 20 public and private wastewater treatment plants." They discovered, among other things, that: "Of more than 179 wells producing wastewater with high levels of radiation, at least 116 reported levels of radium or other radioactive materials 100 times as high as the levels set by federal drinking-water standards. At least 15 wells produced wastewater carrying more than 1,000 times the amount of radioactive elements considered acceptable." So is there a question that we should be testing both flowback and produced water? Without testing for radioactive elements in flowback and produced water, IDNR is placing the health and safety of workers both on-site and transporting the waste at risk, in violation of section 1-75(a)(2) of the Hydraulic Fracturing Regulatory Act. Moreover, if radiation levels, which can be significant, are unknown, there is the potential for storing the waste in containers ill-designed to contain such material, recycling radioactive material, exposing workers and transporters (who should be protected by OSHA) to radiation, and exposing the public to radioactive material via transport. Clearly, a historical, now rectified, lack of testing has not bode well for Pennsylvania, where a recent Duke study found that "[r]adium levels in samples collected at the [water treatment] facility were 200 times greater than samples taken upstream. Such elevated levels of radioactivity are above regulated levels and would normally be seen at licensed radioactive disposal facilities, according to the scientists at Duke University's Nicholas School of the Environment in North Carolina." (<http://www.theguardian.com/environment/2013/oct/02/dangerous-radioactivity-frackingwaste-pennsylvania>) If we don't test, we will never know, and that poses a significant risk to both Illinois citizens and the environment, which IDNR is charged to protect. IDNR should require that "produced water" be tested at two separate intervals across time for radioactivity, as now required in Pennsylvania. IDNR should also require that the Illinois Low Level Radioactivity Waste Management Act be followed with regards to radioactive material resulting from fracking. The taxpayer should not be stuck with the bill for cleanup, as has been seen in numerous other states where hydraulic fracturing has occurred.

Sincerely, Sara Buck Chicago , IL 60640

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Comment/Problem(s)/Needed Revisions: Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Notably absent from these proposed rules is a requirement for the testing of "produced water", the fluid that returns from the well during the later stage of production (after flowback). Under the proposed rules, "produced water" can be stored on site and/or can be "recycled", yet there is no testing requirement. Naturally occurring radioactive material (NORM) is found in "produced water" also. See Technologically enhanced naturally occurring radioactive materials in the oil industry (TENORM), Nukleonika 2009; 54(1):3-9, and sources cited therein, especially for TENORM in produced water in the U.S., available at [http://www.nukleonika.pl/www/back/full/vol54\\_2009/v54n1p003f.pdf](http://www.nukleonika.pl/www/back/full/vol54_2009/v54n1p003f.pdf). See also NORM is also found on scale in oil pipes and on fracking equipment. (See Kentucky Resources Council Proposes Comprehensive Plan For Investigating Radiological Contamination In Martha Oil Field. August 11, 2005. <http://www.kyrc.org/webnewspro/112381723236086.shtml>.) IDNR's definitions of "flowback water" and "produced water" are different. The two are distinguishably different enough that they are treated as separate types of fluid by both the Hydraulic Fracturing Regulatory Act and by the DNR Rules. Discharge of produced water onto the ground or into surface water or water drainage way is prohibited but it is not tested for radioactivity. This despite the fact that this fluid will be in contact with the naturally occurring radioactive elements in the ground for a longer period than the flowback and that it is much more likely to be radioactive. Problems: Failure to test produced water for radioactivity is problematic for a variety of reasons including: The health and safety of workers on the site who will be unaware of the levels of radioactivity they are being exposed to. The health and safety of workers transporting produced water who will also be in the dark regarding the levels of radioactivity they will be exposed to. The risk of storing radioactive material in tanks not created for storing radioactive materials. The risk of "recycling" produced water—radioactivity cannot be removed by recycling. The risk to the public in transporting radioactive materials Argonne National Laboratory recently cautioned about radiological doses: "It is commonly accepted that efforts should be undertaken at all times to keep radiological doses 'as low as reasonably achievable,' which is referred to as the ALARA principle or requirement." Overview of Radiological Dose and Risk Assessment (April 2011). DNR is failing to even adequately test for radioactivity and therefore, will not know the levels of radioactivity. How, then, can DNR adequately protect workers and the general public? Revisions needed: At a bare minimum, the rules should require that "produced water" be tested at two separate intervals across time for radioactivity. This is already required in Pennsylvania. The rules should also require that the requirements of the Illinois Low Level Radioactivity Waste Management Act be followed.

Sincerely, Aija Nemer-Aanerud 1623 E. 55th St. #2 Chicago, IL 60615

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Sincerely, Ammar Kalimullah Chicago, IL 60637

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Sincerely, Andrew Hwang Chicago, IL 60615

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Comment/Problem(s)/Needed Revisions: Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Notably absent from these proposed rules is a requirement for the testing of "produced water", the fluid that returns from the well during the later stage of production (after flowback). Under the proposed rules, "produced water" can be stored on site and/or can be "recycled", yet there is no testing requirement. Naturally occurring radioactive material (NORM) is found in "produced water" also. See Technologically enhanced naturally occurring radioactive materials in the oil industry (TENORM), Nukleonika 2009; 54(1):3-9, and sources cited therein, especially for TENORM in produced water in the U.S., available at [http://www.nukleonika.pl/www/back/full/vol54\\_2009/v54n1p003f.pdf](http://www.nukleonika.pl/www/back/full/vol54_2009/v54n1p003f.pdf). See also NORM is also found on scale in oil pipes and on fracking equipment. (See Kentucky Resources Council Proposes Comprehensive Plan For Investigating Radiological Contamination In Martha Oil Field. August 11, 2005. <http://www.kyrc.org/webnewspro/112381723236086.shtml>.) IDNR's definitions of "flowback water" and "produced water" are different. The two are distinguishably different enough that they are treated as separate types of fluid by both the Hydraulic Fracturing Regulatory Act and by the DNR Rules. Discharge of produced water onto the ground or into surface water or water drainage way is prohibited but it is not tested for radioactivity. This despite the fact that this fluid will be in contact with the naturally occurring radioactive elements in the ground for a longer period than the flowback and that it is much more likely to be radioactive. Problems: Failure to test produced water for radioactivity is problematic for a variety of reasons including: The health and safety of workers on the site who will be unaware of the levels of radioactivity they are being exposed to. The health and safety of workers transporting produced water who will also be in the dark regarding the levels of radioactivity they will be exposed to. The risk of storing radioactive material in tanks not created for storing radioactive materials. The risk of "recycling" produced water—radioactivity cannot be removed by recycling. The risk to the public in transporting radioactive materials Argonne National Laboratory recently cautioned about radiological doses: "It is commonly accepted that efforts should be undertaken at all times to keep radiological doses 'as low as reasonably achievable,' which is referred to as the ALARA principle or requirement." Overview of Radiological Dose and Risk Assessment (April 2011). DNR is failing to even adequately test for radioactivity and therefore, will not know the levels of radioactivity. How, then, can DNR adequately protect workers and the general public? Revisions needed: At a bare minimum, the rules should require that "produced water" be tested at two separate intervals across time for radioactivity. This is already required in Pennsylvania. The rules should also require that the requirements of the Illinois Low Level Radioactivity Waste Management Act be followed.

Sincerely, Andrew Hwang Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Ava Benezra 1515 E 54th St #4 Chicago, IL 60615

## Fair Economy Illinois

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Sincerely, Benjamin Boyajian 5121 S Kenwood Ave Chicago, IL 60615

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Sincerely, Brent Ritzel 810 N. Springer St. Carbondale, IL 62901

## Fair Economy Illinois

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Sincerely, Brent Ritzel 810 N. Springer St. Carbondale, IL 62901



## Fair Economy Illinois

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Sincerely, Brent Ritzel 810 N. Springer St. Carbondale, IL 62901

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Sincerely, Brianna Tong 5122 S University Ave (#1) Chicago, IL 60615

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Sincerely, Bruce Anderson Rolling Meadows, IL 60008

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Comment/Problem(s)/Needed Revisions: Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Notably absent from these proposed rules is a requirement for the testing of "produced water", the fluid that returns from the well during the later stage of production (after flowback). Under the proposed rules, "produced water" can be stored on site and/or can be "recycled", yet there is no testing requirement. Naturally occurring radioactive material (NORM) is found in "produced water" also. See Technologically enhanced naturally occurring radioactive materials in the oil industry (TENORM), Nukleonika 2009; 54(1):3-9, and sources cited therein, especially for TENORM in produced water in the U.S., available at [http://www.nukleonika.pl/www/back/full/vol54\\_2009/v54n1p003f.pdf](http://www.nukleonika.pl/www/back/full/vol54_2009/v54n1p003f.pdf). See also NORM is also found on scale in oil pipes and on fracking equipment. (See Kentucky Resources Council Proposes Comprehensive Plan For Investigating Radiological Contamination In Martha Oil Field. August 11, 2005. <http://www.kyrc.org/webnewspro/112381723236086.shtml>.) IDNR's definitions of "flowback water" and "produced water" are different. The two are distinguishably different enough that they are treated as separate types of fluid by both the Hydraulic Fracturing Regulatory Act and by the DNR Rules. Discharge of produced water onto the ground or into surface water or water drainage way is prohibited but it is not tested for radioactivity. This despite the fact that this fluid will be in contact with the naturally occurring radioactive elements in the ground for a longer period than the flowback and that it is much more likely to be radioactive. Problems: Failure to test produced water for radioactivity is problematic for a variety of reasons including: The health and safety of workers on the site who will be unaware of the levels of radioactivity they are being exposed to. The health and safety of workers transporting produced water who will also be in the dark regarding the levels of radioactivity they will be exposed to. The risk of storing radioactive material in tanks not created for storing radioactive materials. The risk of "recycling" produced water—radioactivity cannot be removed by recycling. The risk to the public in transporting radioactive materials Argonne National Laboratory recently cautioned about radiological doses: "It is commonly accepted that efforts should be undertaken at all times to keep radiological doses 'as low as reasonably achievable,' which is referred to as the ALARA principle or requirement." Overview of Radiological Dose and Risk Assessment (April 2011). DNR is failing to even adequately test for radioactivity and therefore, will not know the levels of radioactivity. How, then, can DNR adequately protect workers and the general public? Revisions needed: At a bare minimum, the rules should require that "produced water" be tested at two separate intervals across time for radioactivity. This is already required in Pennsylvania. The rules should also require that the requirements of the Illinois Low Level Radioactivity Waste Management Act be followed.

Sincerely, Bruce Anderson Rolling Meadows, IL 60008

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Christiane Rey 3651 N. Francisco Ave. Chicago, IL 60618

## Fair Economy Illinois

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Sincerely, Clara Kao Chicago, IL 60637

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Sincerely, Dominic Giafagione Carbondale, IL 62901

## Fair Economy Illinois

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Sincerely, Emilio Joseph Comay del Junco 1-1341 E Madison Park Chicago, IL 60615

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Comment/Problem(s)/Needed Revisions: Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Notably absent from these proposed rules is a requirement for the testing of "produced water", the fluid that returns from the well during the later stage of production (after flowback). Under the proposed rules, "produced water" can be stored on site and/or can be "recycled", yet there is no testing requirement. Naturally occurring radioactive material (NORM) is found in "produced water" also. See Technologically enhanced naturally occurring radioactive materials in the oil industry (TENORM), Nukleonika 2009; 54(1):3-9, and sources cited therein, especially for TENORM in produced water in the U.S., available at [http://www.nukleonika.pl/www/back/full/vol54\\_2009/v54n1p003f.pdf](http://www.nukleonika.pl/www/back/full/vol54_2009/v54n1p003f.pdf). See also NORM is also found on scale in oil pipes and on fracking equipment. (See Kentucky Resources Council Proposes Comprehensive Plan For Investigating Radiological Contamination In Martha Oil Field. August 11, 2005. <http://www.kyrc.org/webnewspro/112381723236086.shtml>.) IDNR's definitions of "flowback water" and "produced water" are different. The two are distinguishably different enough that they are treated as separate types of fluid by both the Hydraulic Fracturing Regulatory Act and by the DNR Rules. Discharge of produced water onto the ground or into surface water or water drainage way is prohibited but it is not tested for radioactivity. This despite the fact that this fluid will be in contact with the naturally occurring radioactive elements in the ground for a longer period than the flowback and that it is much more likely to be radioactive. Problems: Failure to test produced water for radioactivity is problematic for a variety of reasons including: The health and safety of workers on the site who will be unaware of the levels of radioactivity they are being exposed to. The health and safety of workers transporting produced water who will also be in the dark regarding the levels of radioactivity they will be exposed to. The risk of storing radioactive material in tanks not created for storing radioactive materials. The risk of "recycling" produced water—radioactivity cannot be removed by recycling. The risk to the public in transporting radioactive materials Argonne National Laboratory recently cautioned about radiological doses: "It is commonly accepted that efforts should be undertaken at all times to keep radiological doses 'as low as reasonably achievable,' which is referred to as the ALARA principle or requirement." Overview of Radiological Dose and Risk Assessment (April 2011). DNR is failing to even adequately test for radioactivity and therefore, will not know the levels of radioactivity. How, then, can DNR adequately protect workers and the general public? Revisions needed: At a bare minimum, the rules should require that "produced water" be tested at two separate intervals across time for radioactivity. This is already required in Pennsylvania. The rules should also require that the requirements of the Illinois Low Level Radioactivity Waste Management Act be followed.

Sincerely, Garrick Balk 236 Prairie Street South Elgin, IL 60177-1528

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Jan A Pietrzak 12031 S 72nd Ct Palos Heights, IL 60463

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Sincerely, Joann Conrad 13 Red Oak Lane Springfield, IL 62712

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Sincerely, Johnathan Guy Burton Judson Hall, 1005 E 60th St Chicago, IL 60637

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Comment/Problem(s)/Needed Revisions: Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Notably absent from these proposed rules is a requirement for the testing of "produced water", the fluid that returns from the well during the later stage of production (after flowback). Under the proposed rules, "produced water" can be stored on site and/or can be "recycled", yet there is no testing requirement. Naturally occurring radioactive material (NORM) is found in "produced water" also. See Technologically enhanced naturally occurring radioactive materials in the oil industry (TENORM), Nukleonika 2009; 54(1):3-9, and sources cited therein, especially for TENORM in produced water in the U.S., available at [http://www.nukleonika.pl/www/back/full/vol54\\_2009/v54n1p003f.pdf](http://www.nukleonika.pl/www/back/full/vol54_2009/v54n1p003f.pdf). See also NORM is also found on scale in oil pipes and on fracking equipment. (See Kentucky Resources Council Proposes Comprehensive Plan For Investigating Radiological Contamination In Martha Oil Field. August 11, 2005. <http://www.kyrc.org/webnewspro/112381723236086.shtml>.) IDNR's definitions of "flowback water" and "produced water" are different. The two are distinguishably different enough that they are treated as separate types of fluid by both the Hydraulic Fracturing Regulatory Act and by the DNR Rules. Discharge of produced water onto the ground or into surface water or water drainage way is prohibited but it is not tested for radioactivity. This despite the fact that this fluid will be in contact with the naturally occurring radioactive elements in the ground for a longer period than the flowback and that it is much more likely to be radioactive. Problems: Failure to test produced water for radioactivity is problematic for a variety of reasons including: The health and safety of workers on the site who will be unaware of the levels of radioactivity they are being exposed to. The health and safety of workers transporting produced water who will also be in the dark regarding the levels of radioactivity they will be exposed to. The risk of storing radioactive material in tanks not created for storing radioactive materials. The risk of "recycling" produced water—radioactivity cannot be removed by recycling. The risk to the public in transporting radioactive materials Argonne National Laboratory recently cautioned about radiological doses: "It is commonly accepted that efforts should be undertaken at all times to keep radiological doses 'as low as reasonably achievable,' which is referred to as the ALARA principle or requirement." Overview of Radiological Dose and Risk Assessment (April 2011). DNR is failing to even adequately test for radioactivity and therefore, will not know the levels of radioactivity. How, then, can DNR adequately protect workers and the general public? Revisions needed: At a bare minimum, the rules should require that "produced water" be tested at two separate intervals across time for radioactivity. This is already required in Pennsylvania. The rules should also require that the requirements of the Illinois Low Level Radioactivity Waste Management Act be followed.

Sincerely, Julia Ogilvie 1806 Marion Court Wheaton, IL 60187



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Kayli Horne Chicago, IL 60615

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Sincerely, Ken Buck Naperville, IL 60540

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Sincerely, Leilani Douglas 1414 E 59th St Chicago, IL 60637

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Sincerely, Linda Green 422 East 450 North Rd MORRISONVILLE, IL 62546



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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Comment/Problem(s)/Needed Revisions: Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Notably absent from these proposed rules is a requirement for the testing of "produced water", the fluid that returns from the well during the later stage of production (after flowback). Under the proposed rules, "produced water" can be stored on site and/or can be "recycled", yet there is no testing requirement. Naturally occurring radioactive material (NORM) is found in "produced water" also. See Technologically enhanced naturally occurring radioactive materials in the oil industry (TENORM), Nukleonika 2009; 54(1):3-9, and sources cited therein, especially for TENORM in produced water in the U.S., available at [http://www.nukleonika.pl/www/back/full/vol54\\_2009/v54n1p003f.pdf](http://www.nukleonika.pl/www/back/full/vol54_2009/v54n1p003f.pdf). See also NORM is also found on scale in oil pipes and on fracking equipment. (See Kentucky Resources Council Proposes Comprehensive Plan For Investigating Radiological Contamination In Martha Oil Field. August 11, 2005. <http://www.kyrc.org/webnewspro/112381723236086.shtml>.) IDNR's definitions of "flowback water" and "produced water" are different. The two are distinguishably different enough that they are treated as separate types of fluid by both the Hydraulic Fracturing Regulatory Act and by the DNR Rules. Discharge of produced water onto the ground or into surface water or water drainage way is prohibited but it is not tested for radioactivity. This despite the fact that this fluid will be in contact with the naturally occurring radioactive elements in the ground for a longer period than the flowback and that it is much more likely to be radioactive. Problems: Failure to test produced water for radioactivity is problematic for a variety of reasons including: The health and safety of workers on the site who will be unaware of the levels of radioactivity they are being exposed to. The health and safety of workers transporting produced water who will also be in the dark regarding the levels of radioactivity they will be exposed to. The risk of storing radioactive material in tanks not created for storing radioactive materials. The risk of "recycling" produced water—radioactivity cannot be removed by recycling. The risk to the public in transporting radioactive materials Argonne National Laboratory recently cautioned about radiological doses: "It is commonly accepted that efforts should be undertaken at all times to keep radiological doses 'as low as reasonably achievable,' which is referred to as the ALARA principle or requirement." Overview of Radiological Dose and Risk Assessment (April 2011). DNR is failing to even adequately test for radioactivity and therefore, will not know the levels of radioactivity. How, then, can DNR adequately protect workers and the general public? Revisions needed: At a bare minimum, the rules should require that "produced water" be tested at two separate intervals across time for radioactivity. This is already required in Pennsylvania. The rules should also require that the requirements of the Illinois Low Level Radioactivity Waste Management Act be followed.

Sincerely, Lindsay Paulus Wheaton , IL 60187

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Lindsay Paulus Wheaton , IL 60187

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Lindsay Paulus Wheaton , IL 60187

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, M Smerken Murphysboro, IL 62966

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Marissa Godlewski Carbondale, IL 62901

## Fair Economy Illinois

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Sincerely, Mary Ellen Barbezat Elgin, IL 60120

## Fair Economy Illinois

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Sincerely, Mary Ellen Barbezat Elgin, IL 60120



## Fair Economy Illinois

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Sincerely, Matt Steffen Lake Zurich, IL 60047

## Fair Economy Illinois

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Sincerely, Matthew Pava 401 Krebs Dr Champaign, IL 61822

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Sincerely, Micah Bennett Marion, IL 62959

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Comment/Problem(s)/Needed Revisions: Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Notably absent from these proposed rules is a requirement for the testing of "produced water", the fluid that returns from the well during the later stage of production (after flowback). Under the proposed rules, "produced water" can be stored on site and/or can be "recycled", yet there is no testing requirement. Naturally occurring radioactive material (NORM) is found in "produced water" also. See Technologically enhanced naturally occurring radioactive materials in the oil industry (TENORM), Nukleonika 2009; 54(1):3-9, and sources cited therein, especially for TENORM in produced water in the U.S., available at [http://www.nukleonika.pl/www/back/full/vol54\\_2009/v54n1p003f.pdf](http://www.nukleonika.pl/www/back/full/vol54_2009/v54n1p003f.pdf). See also NORM is also found on scale in oil pipes and on fracking equipment. (See Kentucky Resources Council Proposes Comprehensive Plan For Investigating Radiological Contamination In Martha Oil Field. August 11, 2005. <http://www.kyrc.org/webnewspro/112381723236086.shtml>.) IDNR's definitions of "flowback water" and "produced water" are different. The two are distinguishably different enough that they are treated as separate types of fluid by both the Hydraulic Fracturing Regulatory Act and by the DNR Rules. Discharge of produced water onto the ground or into surface water or water drainage way is prohibited but it is not tested for radioactivity. This despite the fact that this fluid will be in contact with the naturally occurring radioactive elements in the ground for a longer period than the flowback and that it is much more likely to be radioactive. Problems: Failure to test produced water for radioactivity is problematic for a variety of reasons including: The health and safety of workers on the site who will be unaware of the levels of radioactivity they are being exposed to. The health and safety of workers transporting produced water who will also be in the dark regarding the levels of radioactivity they will be exposed to. The risk of storing radioactive material in tanks not created for storing radioactive materials. The risk of "recycling" produced water—radioactivity cannot be removed by recycling. The risk to the public in transporting radioactive materials Argonne National Laboratory recently cautioned about radiological doses: "It is commonly accepted that efforts should be undertaken at all times to keep radiological doses 'as low as reasonably achievable,' which is referred to as the ALARA principle or requirement." Overview of Radiological Dose and Risk Assessment (April 2011). DNR is failing to even adequately test for radioactivity and therefore, will not know the levels of radioactivity. How, then, can DNR adequately protect workers and the general public? Revisions needed: At a bare minimum, the rules should require that "produced water" be tested at two separate intervals across time for radioactivity. This is already required in Pennsylvania. The rules should also require that the requirements of the Illinois Low Level Radioactivity Waste Management Act be followed.

Sincerely, Michelle Mejia 1101 E 56th Street Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Michelle Mejia 1101 E 56th Street Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Nancy Onderdonk 1456 W Granville Chicago, IL 60660

## Fair Economy Illinois

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Sincerely, Norma Claire Moruzzi Chicago, IL 60640



## Fair Economy Illinois

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Sincerely, Nour Abdelmonem Chicago, IL 60637

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Sincerely, Rachel Pinker Chicago, IL 60637

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Comment/Problem(s)/Needed Revisions: Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Notably absent from these proposed rules is a requirement for the testing of "produced water", the fluid that returns from the well during the later stage of production (after flowback). Under the proposed rules, "produced water" can be stored on site and/or can be "recycled", yet there is no testing requirement. Naturally occurring radioactive material (NORM) is found in "produced water" also. See Technologically enhanced naturally occurring radioactive materials in the oil industry (TENORM), Nukleonika 2009; 54(1):3-9, and sources cited therein, especially for TENORM in produced water in the U.S., available at [http://www.nukleonika.pl/www/back/full/vol54\\_2009/v54n1p003f.pdf](http://www.nukleonika.pl/www/back/full/vol54_2009/v54n1p003f.pdf). See also NORM is also found on scale in oil pipes and on fracking equipment. (See Kentucky Resources Council Proposes Comprehensive Plan For Investigating Radiological Contamination In Martha Oil Field. August 11, 2005. <http://www.kyrc.org/webnewspro/112381723236086.shtml>.) IDNR's definitions of "flowback water" and "produced water" are different. The two are distinguishably different enough that they are treated as separate types of fluid by both the Hydraulic Fracturing Regulatory Act and by the DNR Rules. Discharge of produced water onto the ground or into surface water or water drainage way is prohibited but it is not tested for radioactivity. This despite the fact that this fluid will be in contact with the naturally occurring radioactive elements in the ground for a longer period than the flowback and that it is much more likely to be radioactive. Problems: Failure to test produced water for radioactivity is problematic for a variety of reasons including: The health and safety of workers on the site who will be unaware of the levels of radioactivity they are being exposed to. The health and safety of workers transporting produced water who will also be in the dark regarding the levels of radioactivity they will be exposed to. The risk of storing radioactive material in tanks not created for storing radioactive materials. The risk of "recycling" produced water—radioactivity cannot be removed by recycling. The risk to the public in transporting radioactive materials Argonne National Laboratory recently cautioned about radiological doses: "It is commonly accepted that efforts should be undertaken at all times to keep radiological doses 'as low as reasonably achievable,' which is referred to as the ALARA principle or requirement." Overview of Radiological Dose and Risk Assessment (April 2011). DNR is failing to even adequately test for radioactivity and therefore, will not know the levels of radioactivity. How, then, can DNR adequately protect workers and the general public? Revisions needed: At a bare minimum, the rules should require that "produced water" be tested at two separate intervals across time for radioactivity. This is already required in Pennsylvania. The rules should also require that the requirements of the Illinois Low Level Radioactivity Waste Management Act be followed.

Sincerely, Rachel Pinker Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Comment/Problem(s)/Needed Revisions: Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Notably absent from these proposed rules is a requirement for the testing of "produced water", the fluid that returns from the well during the later stage of production (after flowback). Under the proposed rules, "produced water" can be stored on site and/or can be "recycled", yet there is no testing requirement. Naturally occurring radioactive material (NORM) is found in "produced water" also. See Technologically enhanced naturally occurring radioactive materials in the oil industry (TENORM), Nukleonika 2009; 54(1):3-9, and sources cited therein, especially for TENORM in produced water in the U.S., available at [http://www.nukleonika.pl/www/back/full/vol54\\_2009/v54n1p003f.pdf](http://www.nukleonika.pl/www/back/full/vol54_2009/v54n1p003f.pdf). See also NORM is also found on scale in oil pipes and on fracking equipment. (See Kentucky Resources Council Proposes Comprehensive Plan For Investigating Radiological Contamination In Martha Oil Field. August 11, 2005. <http://www.kyrc.org/webnewspro/112381723236086.shtml>.) IDNR's definitions of "flowback water" and "produced water" are different. The two are distinguishably different enough that they are treated as separate types of fluid by both the Hydraulic Fracturing Regulatory Act and by the DNR Rules. Discharge of produced water onto the ground or into surface water or water drainage way is prohibited but it is not tested for radioactivity. This despite the fact that this fluid will be in contact with the naturally occurring radioactive elements in the ground for a longer period than the flowback and that it is much more likely to be radioactive. Problems: Failure to test produced water for radioactivity is problematic for a variety of reasons including: The health and safety of workers on the site who will be unaware of the levels of radioactivity they are being exposed to. The health and safety of workers transporting produced water who will also be in the dark regarding the levels of radioactivity they will be exposed to. The risk of storing radioactive material in tanks not created for storing radioactive materials. The risk of "recycling" produced water—radioactivity cannot be removed by recycling. The risk to the public in transporting radioactive materials Argonne National Laboratory recently cautioned about radiological doses: "It is commonly accepted that efforts should be undertaken at all times to keep radiological doses 'as low as reasonably achievable,' which is referred to as the ALARA principle or requirement." Overview of Radiological Dose and Risk Assessment (April 2011). DNR is failing to even adequately test for radioactivity and therefore, will not know the levels of radioactivity. How, then, can DNR adequately protect workers and the general public? Revisions needed: At a bare minimum, the rules should require that "produced water" be tested at two separate intervals across time for radioactivity. This is already required in Pennsylvania. The rules should also require that the requirements of the Illinois Low Level Radioactivity Waste Management Act be followed.

Sincerely, Raj Kapoor Oak Park, IL 60302

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Comment/Problem(s)/Needed Revisions: Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Notably absent from these proposed rules is a requirement for the testing of "produced water", the fluid that returns from the well during the later stage of production (after flowback). Under the proposed rules, "produced water" can be stored on site and/or can be "recycled", yet there is no testing requirement. Naturally occurring radioactive material (NORM) is found in "produced water" also. See Technologically enhanced naturally occurring radioactive materials in the oil industry (TENORM), Nukleonika 2009; 54(1):3-9, and sources cited therein, especially for TENORM in produced water in the U.S., available at [http://www.nukleonika.pl/www/back/full/vol54\\_2009/v54n1p003f.pdf](http://www.nukleonika.pl/www/back/full/vol54_2009/v54n1p003f.pdf). See also NORM is also found on scale in oil pipes and on fracking equipment. (See Kentucky Resources Council Proposes Comprehensive Plan For Investigating Radiological Contamination In Martha Oil Field. August 11, 2005. <http://www.kyrc.org/webnewspro/112381723236086.shtml>.) IDNR's definitions of "flowback water" and "produced water" are different. The two are distinguishably different enough that they are treated as separate types of fluid by both the Hydraulic Fracturing Regulatory Act and by the DNR Rules. Discharge of produced water onto the ground or into surface water or water drainage way is prohibited but it is not tested for radioactivity. This despite the fact that this fluid will be in contact with the naturally occurring radioactive elements in the ground for a longer period that the flowback and that it is much more likely to be radioactive. Problems: Failure to test produced water for radioactivity is problematic for a variety of reasons including: The health and safety of workers on the site who will be unaware of the levels of radioactivity they are being exposed to. The health and safety of workers transporting produced water who will also be in the dark regarding the levels of radioactivity they will be exposed to. The risk of storing radioactive material in tanks not created for storing radioactive materials. The risk of "recycling" produced water—radioactivity cannot be removed by recycling. The risk to the public in transporting radioactive materials Argonne National Laboratory recently cautioned about radiological doses: "It is commonly accepted that efforts should be undertaken at all times to keep radiological doses 'as low as reasonably achievable,' which is referred to as the ALARA principle or requirement." Overview of Radiological Dose and Risk Assessment (April 2011). DNR is failing to even adequately test for radioactivity and therefore, will not know the levels of radioactivity. How, then, can DNR adequately protect workers and the general public? Revisions needed: At a bare minimum, the rules should require that "produced water" be tested at two separate intervals across time for radioactivity. This is already required in Pennsylvania. The rules should also require that the requirements of the Illinois Low Level Radioactivity Waste Management Act be followed.

Sincerely, Ramon Valladarez Chicago, IL 60642



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Raymond D. Gayton 453 Tahoe Street Park Forest, IL 60466

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Rebekah Sugarman Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Ron Yehoshua Chicago, IL 60637

## Fair Economy Illinois

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Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Scott Condren Chicago , IL 60608

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Sloane Moore River Forest, IL 60305

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, sonja chan 944 w walnut st kankakee, IL 60901

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Tim Brooks Chicago, IL 60652

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, William Thomas 1414 E 59th St, Room 471 Chicago, IL 60637



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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## Fair Economy Illinois

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Sincerely, Keri Curtis Peru, IL 61354

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Keri Curtis Peru, IL 61354

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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## Fair Economy Illinois

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Sincerely, Keri Curtis Peru, IL 61354

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Fracking must be stopped at any cost. If it cannot be accomplished by law then it will be accomplished by other means. These are unlicensed criminals operating without oversight. They are poisoning the state long-term, lying about it, spinning it, killing and bribing their way to achieving their 'goal'. Poisoned water, disease and death. Fracking spells nothing else. Fracking is on course to destroy rural Illinois and poison it for hundreds of years to come. Anyone who goes there will suffer adverse health effects and die. Those in favor of fracking can volunteer to live right near a fracking site and drink poison, radioactive, flammable, cancer-causing water if they 'believe' in it so much. But those in favor of fracking would rather commit mass murder from a distance and go to the bank. A few hundred people will profit greatly from fracking and those are the only ones in favor of it.

Sincerely, Ellen Chicago, IL 60610

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Having dealt with lawyers and contracts a number of times in my life as well as studying some legal topics, I have found that wording is very important and is where people find loopholes. Please make sure that loopholes are not created by the wording that allow for possible damage to workers, local residents, and the surrounding environment. Comment/Problem(s)/Needed Revisions: Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Notably absent from these proposed rules is a requirement for the testing of "produced water", the fluid that returns from the well during the later stage of production (after flowback). Under the proposed rules, "produced water" can be stored on site and/or can be "recycled", yet there is no testing requirement. Naturally occurring radioactive material (NORM) is found in "produced water" also. See Technologically enhanced naturally occurring radioactive materials in the oil industry (TENORM), Nukleonika 2009; 54(1):3-9, and sources cited therein, especially for TENORM in produced water in the U.S., available at [http://www.nukleonika.pl/www/back/full/vol54\\_2009/v54n1p003f.pdf](http://www.nukleonika.pl/www/back/full/vol54_2009/v54n1p003f.pdf). See also NORM is also found on scale in oil pipes and on fracking equipment. (See Kentucky Resources Council Proposes Comprehensive Plan For Investigating Radiological Contamination In Martha Oil Field. August 11, 2005. <http://www.kyrc.org/webnewspro/112381723236086.shtml>.) IDNR's definitions of "flowback water" and "produced water" are different. The two are distinguishably different enough that they are treated as separate types of fluid by both the Hydraulic Fracturing Regulatory Act and by the DNR Rules. Discharge of produced water onto the ground or into surface water or water drainage way is prohibited but it is not tested for radioactivity. This despite the fact that this fluid will be in contact with the naturally occurring radioactive elements in the ground for a longer period that the flowback and that it is much more likely to be radioactive. Problems: Failure to test produced water for radioactivity is problematic for a variety of reasons including: The health and safety of workers on the site who will be unaware of the levels of radioactivity they are being exposed to. The health and safety of workers transporting produced water who will also be in the dark regarding the levels of radioactivity they will be exposed to. The risk of storing radioactive material in tanks not created for storing radioactive materials. The risk of "recycling" produced water—radioactivity cannot be removed by recycling. The risk to the public in transporting radioactive materials Argonne National Laboratory recently cautioned about radiological doses: "It is commonly accepted that efforts should be undertaken at all times to keep radiological doses 'as low as reasonably achievable,' which is referred to as the ALARA principle or requirement." Overview of Radiological Dose and Risk Assessment (April 2011). DNR is failing to even adequately test for radioactivity and therefore, will not know the levels of radioactivity. How, then, can DNR adequately protect workers and the general public? Revisions needed: At a bare minimum, the rules should require that "produced water" be tested at two separate intervals across time for

## Fair Economy Illinois

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Sincerely, Kathryn Chapman Hamburg, IL 62045



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

How much radioactivity do you see as safe? Would you care to store it in your backyard? Garrick Balk

Sincerely, Garrick Balk 236 Prairie Street South Elgin, IL 60177

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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I agree wholeheartedly with the above objections and concerns.

Sincerely, Genarose Buechler Red Bud, IL 62278

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

I am concerned that the proposed regulations do not include protocols to follow if radiation is discovered. Also, the regulations do not require the testing of "produced waters.". They do not require the testing for possible added radioactive materials, and they do not detail anything about workplace standards with regard to radioactivity.

Sincerely, Nancy Freehafer Chicago, IL 60647

## Fair Economy Illinois

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Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

I am very concerned that terrorists can target these wells if they are full of dangerous chemicals, especially radioactive materials. How are we going to defend against terrorism?

Sincerely, Harry Li 2656 Boddington Lane Naperville, IL 60564

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

I have worked with radioactive materials for over 30 years of my life and know the importance of CONSTANT monitoring of the areas were the materials are used. This rule does NOT sufficiently address this issue.

Sincerely, M Alan Wurth Red Bud, IL 62278



## Fair Economy Illinois

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I thought your job and responsibility was to protect the commons from the abuse and contamination of OUR resources, not to sell us out to the oil & gas industry. Once our most precious resource, WATER, is contaminated, how are you going to face the people? I cannot believe that you are in bed with the corporations and not working to protect our environment and the people. Garrick Balk

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Sincerely, Oscar Ramirez 4414 N. Christiana Chicago, IL 60625

## Fair Economy Illinois

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Legal issues: Act §1-75(a)7 requires radioactivity testing "once per well site" for (1) flowback water and ground "adjacent to" (2) storage tanks and (3) reserve pits. . Act § 1-120 requires IDNR compliance with all "applicable federal, State, and local laws." One applicable State law is the Illinois Low-Level Radioactive Waste Management Act (PA 83-991 / 420ILCS20). Another is the Occupational Health and Safety Administration (OSHA) standards for workplace safety in settings with exposure to radioactivity (29 CFR 1910.1096). Rules §245.850(d)1-E and §245.850(e) are incomplete and deficient, and these inadequacies can "constitute a serious threat"--indeed, deadly threat-- "to the public interest, safety, or welfare" of Illinois citizens." Several problems stand out. 1.) IDNR does not define a fixed date ( $\pm X$  days). Day 1, Hour 1 test results will be orders of magnitude lower than either Day 2 or Day 10 tests results, and Day 10 tests results will be significantly lower than Day 80 ( $\pm 7$  days) results. Failure to specify a test date ( $\pm X$  days) renders test data meaningless and allows companies to report suppressed and meaningless results by reporting Day 1, < Hour 1 results. The figure below, provided by the USGS, illustrates the nature of the problem. Please note that radium is NOT tested at Day 1, < Hour 1. However, radium coprecipitates with barium, which is represented in total dissolved solids (TDS). It will therefore track TDS fairly closely. Second, there are two pits on a frack pad. Implications: According to studies by the Illinois State Geological Survey, the Illinois New Albany Shale Formation, the source rock for our oil and gas reserves, has above average levels of uranium (29 ppm) and generates oilfield brine. This uranium decays into radium and thence radon. Both uranium and radium are water soluble. Moreover, the U.S. Geological Survey has found oil field brine or produced water in Southern Illinois to have Radium226 levels that average more than 1,000 picoCuries per liter, which is 67 times above the maximum contamination level of the EPA. Radium226 has a half life of 1,600 years. Uranium228 has a half life of 4.468 billion years. The radioactive levels for produced water from shale gas operations are likely to be 2 to 4 times higher than oilfield brine -- on average, 2,000 to 4,000 piccoCuries per liter. Moreover, when produced water is removed along with hydrocarbons, excess radioactive salts in the water precipitate out and become scale on pipe or tanks or sludge in the bottom of tanks or pits. The levels of radioactivity can exceed 100,000 picoCuries per gram and constitute a hazard to workers, or others who are exposed to recycled scrap metal from gas and oil operations. This is why high levels of radioactivity have been found in school playground equipment and bleachers in school sports stadiums. Do we really want untested oil and gas field scrap metal sold into Illinois markets? The problems cited above are why Illinois, with its large number of nuclear power plants, has a Low-Level Radioactive Waste Management Act. It and OSHA are the applicable State and Federal Laws with respect to the issue of radioactive waste and work safety standards in settings with exposure to radioactivity. If we faithfully follow applicable state and federal laws, Illinois can minimize the pernicious problems other states are going to face from the uncontrolled release of radioactive elements into their water and soil and work

## Fair Economy Illinois

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and non-work settings. We should prevent these problem from the start. Cleanup, after the oil and gas industry is gone, will be dreadfully expensive.

Sincerely, Kelvin Ho 736 W. 43rd St. (Apt. 3) Chicago, IL 60609

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

NO FRACKING IN ILLINOIS

Sincerely, Brian Fisher Park Ridge, IL 60068

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Not only should IDNR know that radioactive material occurs in Illinois oil and gas operations [see 62 Ill. Admin. Code secs. 240.860(e)(3), 240.861(k)(1)©], but they should also know that from the significant number of articles that have emerged over the years regarding radioactive material in water. In fact, hydraulic fracturing in the US, according to a recent report, produces enough toxic waste water in one year to flood Washington DC. (<http://www.theguardian.com/environment/2013/oct/04/fracking-us-toxic-waste-waterwashington>). Some of that wastewater is radioactive. In testing water up and downstream from a water treatment facility that treated fracturing waste, a recent Duke University study found elevated levels of "chloride and bromide, combined with strontium, radium, oxygen, and hydrogen isotopic compositions, are present in the Marcellus shale wastewaters." Moreover, the study found that "[r]adium levels in samples collected at the [water treatment] facility were 200 times greater than samples taken upstream. Such elevated levels of radioactivity are above regulated levels and would normally be seen at licensed radioactive disposal facilities, according to the scientists at Duke University's Nicholas School of the Environment in North Carolina." (<http://www.theguardian.com/environment/2013/oct/02/dangerous-radioactivity-frackingwaste-pennsylvania>) It is not a question of whether or not radioactive material is found in fracturing wastewater. It will be found. The IDNR rules must absolutely specify how plowback AND produced water should be treated if they test positive for radioactivity. The rules should also require that the Illinois Low Level Radioactivity Waste Management Act be followed.

Sincerely, Sara Buck Chicago , IL 60640



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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Not only should the water be tested during the early flowback stage, but also the subsequent produced water must be tested periodically, which also contains naturally occurring radioactive material. The general public, workers, and transporters will all face potential danger if this rule is not altered at once. I would also like to stress that the requirements of the Illinois Low Level Radioactivity Waste Management Act also be followed.

Sincerely, Ashley Williams Ottawa, IL 61350

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Ashley Williams Ottawa, IL 61350

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Radioactive water is not an acceptable product of fracking, for communities or the environment. Produced water must be tested at two separate intervals across time for radioactivity, as is required in states such as Pennsylvania. Additionally, the rules must be revised so that the requirements for the Illinois Low Level Radioactivity Waste Management Act be followed. At the very least, produced water should not be recycled until it is proven beyond doubt that it does not contain naturally occurring radioactive material. If it does contain naturally occurring radioactive material, it should not be transported due to public health risks. If the water cannot be safely recycled, stored, or transported, then fracking must cease in that location (or never be implemented in the first place). This would not make the rules unduly restrictive, but rather comprehensive and useful--capable of regulating a dangerous and poorly documented fossil fuel extraction process.

Sincerely, Sienna Cittadino 1513 Dogwood Road Carbondale, IL 62902

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Radioactivity in fracking operations: More loopholes How does this affect me: Radioactivity Relevant parts of the Proposed Administrative Rules: 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req. Subsection (d)(1) of Section 245.850 provides for testing radioactivity only one time— during the early flowback stage—and only for "naturally occurring radioactive materials". The problems with this are identified below. Problems: The proposed rules do not include any standards or protocols to follow if testing of flowback water shows unacceptable levels of radioactivity. The proposed rules do not require the testing of "produced water", which is the water produced from a well in conjunction with oil or natural gas production. This is where radioactivity is most likely to show up. It should be noted that while these Rules have been purported to be the strongest in the nation, PA law requires the testing of produced water at two separate intervals. The proposed rules do not require testing for added radioactive materials, like depleted uranium, which can be used in the perforation/fracturing operation. The proposed rules do not test work areas for levels of radioactivity that would call for OSHA standards of occupational safety. These deficiencies, cumulatively or singly, would pose a significant risk to the public health and safety, property, aquatic life, and wildlife, in violation of section 1-75(a) (2) of the Hydraulic Fracturing Regulatory Act.

Sincerely, Sabrina Helen Bennett Hardenbergh 1 Hardenbergh Road Carbondale, IL 62902

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Radioactivity in fracking operations: Produced Water Needs to Be Tested for Radioactivity How does this affect me: Radioactivity Relevant parts of the Proposed Administrative Rules: 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Comment/Problem(s)/Needed Revisions: Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Notably absent from these proposed rules is a requirement for the testing of "produced water", the fluid that returns from the well during the later stage of production (after flowback). Under the proposed rules, "produced water" can be stored on site and/or can be "recycled", yet there is no testing requirement. Naturally occurring radioactive material (NORM) is found in "produced water" also. See Technologically enhanced naturally occurring radioactive materials in the oil industry (TENORM), Nukleonika 2009; 54(1):3-9, and sources cited therein, especially for TENORM in produced water in the U.S., available at

[http://www.nukleonika.pl/www/back/full/vol54\\_2009/v54n1p003f.pdf](http://www.nukleonika.pl/www/back/full/vol54_2009/v54n1p003f.pdf). See also NORM is also found on scale in oil pipes and on fracking equipment. (See Kentucky Resources Council Proposes Comprehensive Plan For Investigating Radiological Contamination In Martha Oil Field. August 11, 2005.

<http://www.kyrc.org/webnewspro/112381723236086.shtml>.) IDNR's definitions of "flowback water" and "produced water" are different. The two are distinguishably different enough that they are treated as separate types of fluid by both the Hydraulic Fracturing Regulatory Act and by the DNR Rules.

Discharge of produced water onto the ground or into surface water or water drainage way is prohibited but it is not tested for radioactivity. This despite the fact that this fluid will be in contact with the naturally occurring radioactive elements in the ground for a longer period than the flowback and that it is much more likely to be radioactive. Problems: Failure to test produced water for radioactivity is problematic for a variety of reasons including: The health and safety of workers on the site who will be unaware of the levels of radioactivity they are being exposed to. The health and safety of workers transporting produced water who will also be in the dark regarding the levels of radioactivity they will be exposed to. The risk of storing radioactive material in tanks not created for storing radioactive materials. The risk of "recycling" produced water—radioactivity cannot be removed by recycling. The risk to the public in transporting radioactive materials Argonne National Laboratory recently cautioned about radiological doses: "It is commonly accepted that efforts should be undertaken at all times to keep radiological doses 'as low as reasonably achievable,' which is referred to as the ALARA principle or requirement." Overview of Radiological Dose and Risk Assessment (April 2011). DNR is failing to even adequately test for radioactivity and therefore, will not know the levels of radioactivity. How, then, can DNR adequately protect workers and the general public? Revisions needed: At a bare minimum, the rules should require that "produced water" be tested at two separate intervals across time for

## Fair Economy Illinois

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radioactivity. This is already required in Pennsylvania. The rules should also require that the requirements of the Illinois Low Level Radioactivity Waste Management Act be followed.

Sincerely, Grace Pai 1350 E 53rd St Chicago, IL 60615



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Alicia Klepfer 5121 S. Kenwood Ave. Chicago, IL 60615

## Fair Economy Illinois

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Sincerely, Roberta Weiner 5748 S Blackstone Chicago, IL 60637

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Relevant parts of the Proposed Administrative Rules: 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req. . Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Andrew Panelli 12051 Mackinac Rd Homer Glen, IL 60491



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Relevant parts of the Proposed Administrative Rules: 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req. Comment/Problem(s)/Needed Revisions: Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Notably absent from these proposed rules is a requirement for the testing of "produced water", the fluid that returns from the well during the later stage of production (after flowback). Under the proposed rules, "produced water" can be stored on site and/or can be "recycled", yet there is no testing requirement. Naturally occurring radioactive material (NORM) is found in "produced water" also. See Technologically enhanced naturally occurring radioactive materials in the oil industry (TENORM), Nukleonika 2009; 54(1):3-9, and sources cited therein, especially for TENORM in produced water in the U.S., available at [http://www.nukleonika.pl/www/back/full/vol54\\_2009/v54n1p003f.pdf](http://www.nukleonika.pl/www/back/full/vol54_2009/v54n1p003f.pdf). NORM is also found on scale in oil pipes and on fracking equipment. (See Kentucky Resources Council Proposes Comprehensive Plan For Investigating Radiological Contamination In Martha Oil Field. August 11, 2005. <http://www.kyrc.org/webnewspro/112381723236086.shtml>.) IDNR's definitions of "flowback water" and "produced water" are different. The two are distinguishably different enough that they are treated as separate types of fluid by both the Hydraulic Fracturing Regulatory Act and by the DNR Rules. Discharge of produced water onto the ground or into surface water or water drainage way is prohibited but it is not tested for radioactivity. This despite the fact that this fluid will be in contact with the naturally occurring radioactive elements in the ground for a longer period than the flowback and that it is much more likely to be radioactive. Problems: Failure to test produced water for radioactivity is problematic for a variety of reasons including: \* The health and safety of workers on the site who will be unaware of the levels of radioactivity they are being exposed to. \* The health and safety of workers transporting produced water who will also be in the dark regarding the levels of radioactivity they will be exposed to. \* The risk of storing radioactive material in tanks not created for storing radioactive materials. \* The risk of "recycling" produced water—radioactivity cannot be removed by recycling. \* The risk to the public in transporting radioactive materials Argonne National Laboratory recently cautioned about radiological doses: "It is commonly accepted that efforts should be undertaken at all times to keep radiological doses 'as low as reasonably achievable,' which is referred to as the ALARA principle or requirement." Overview of Radiological Dose and Risk Assessment (April 2011). DNR is failing to even adequately test for radioactivity and therefore, will not know the levels of radioactivity. How, then, can DNR adequately protect workers and the general public? Revisions needed: At a bare minimum, the rules should require that "produced water" be tested at two separate intervals across time for radioactivity. This is already required in Pennsylvania. The rules should also require that the requirements of the Illinois Low Level Radioactivity Waste Management Act be followed.

## Fair Economy Illinois

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Sincerely, Treesong 2030 S Illinois Ave #9 Carbondale, IL 62903

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Relevant parts of the Proposed Administrative Rules: 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req. Comment/Problem(s)/Needed Revisions: Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Notably absent from these proposed rules is a requirement for the testing of "produced water", the fluid that returns from the well during the later stage of production (after flowback). Under the proposed rules, "produced water" can be stored on site and/or can be "recycled", yet there is no testing requirement. Naturally occurring radioactive material (NORM) is found in "produced water" also. See Technologically enhanced naturally occurring radioactive materials in the oil industry (TENORM), Nukleonika 2009; 54(1):3-9, and sources cited therein, especially for TENORM in produced water in the U.S., available at [http://www.nukleonika.pl/www/back/full/vol54\\_2009/v54n1p003f.pdf](http://www.nukleonika.pl/www/back/full/vol54_2009/v54n1p003f.pdf). NORM is also found on scale in oil pipes and on fracking equipment. (See Kentucky Resources Council Proposes Comprehensive Plan For Investigating Radiological Contamination In Martha Oil Field. August 11, 2005. <http://www.kyrc.org/webnewspro/112381723236086.shtml>.) IDNR's definitions of "flowback water" and "produced water" are different. The two are distinguishably different enough that they are treated as separate types of fluid by both the Hydraulic Fracturing Regulatory Act and by the DNR Rules. Discharge of produced water onto the ground or into surface water or water drainage way is prohibited but it is not tested for radioactivity. This despite the fact that this fluid will be in contact with the naturally occurring radioactive elements in the ground for a longer period than the flowback and that it is much more likely to be radioactive. Problems: Failure to test produced water for radioactivity is problematic for a variety of reasons including: \* The health and safety of workers on the site who will be unaware of the levels of radioactivity they are being exposed to. \* The health and safety of workers transporting produced water who will also be in the dark regarding the levels of radioactivity they will be exposed to. \* The risk of storing radioactive material in tanks not created for storing radioactive materials. \* The risk of "recycling" produced water—radioactivity cannot be removed by recycling. \* The risk to the public in transporting radioactive materials Argonne National Laboratory recently cautioned about radiological doses: "It is commonly accepted that efforts should be undertaken at all times to keep radiological doses 'as low as reasonably achievable,' which is referred to as the ALARA principle or requirement." Overview of Radiological Dose and Risk Assessment (April 2011). DNR is failing to even adequately test for radioactivity and therefore, will not know the levels of radioactivity. How, then, can DNR adequately protect workers and the general public? Revisions needed: At a bare minimum, the rules should require that "produced water" be tested at two separate intervals across time for radioactivity. This is already required in Pennsylvania. The rules should also require that the requirements of the Illinois Low Level Radioactivity Waste Management Act be followed.

## Fair Economy Illinois

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Sincerely, Treesong 2030 S Illinois Ave #9 Carbondale, IL 62903

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Relevant parts of the Proposed Administrative Rules: 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req. Comment/Problem(s)/Needed Revisions: Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Notably absent from these proposed rules is a requirement for the testing of "produced water", the fluid that returns from the well during the later stage of production (after flowback). Under the proposed rules, "produced water" can be stored on site and/or can be "recycled", yet there is no testing requirement. Naturally occurring radioactive material (NORM) is found in "produced water" also. See Technologically enhanced naturally occurring radioactive materials in the oil industry (TENORM), Nukleonika 2009; 54(1):3-9, and sources cited therein, especially for TENORM in produced water in the U.S., available at [http://www.nukleonika.pl/www/back/full/vol54\\_2009/v54n1p003f.pdf](http://www.nukleonika.pl/www/back/full/vol54_2009/v54n1p003f.pdf). NORM is also found on scale in oil pipes and on fracking equipment. (See Kentucky Resources Council Proposes Comprehensive Plan For Investigating Radiological Contamination In Martha Oil Field. August 11, 2005. <http://www.kyrc.org/webnewspro/112381723236086.shtml>.) IDNR's definitions of "flowback water" and "produced water" are different. The two are distinguishably different enough that they are treated as separate types of fluid by both the Hydraulic Fracturing Regulatory Act and by the DNR Rules. Discharge of produced water onto the ground or into surface water or water drainage way is prohibited but it is not tested for radioactivity. This despite the fact that this fluid will be in contact with the naturally occurring radioactive elements in the ground for a longer period than the flowback and that it is much more likely to be radioactive. Problems: Failure to test produced water for radioactivity is problematic for a variety of reasons including: \* The health and safety of workers on the site who will be unaware of the levels of radioactivity they are being exposed to. \* The health and safety of workers transporting produced water who will also be in the dark regarding the levels of radioactivity they will be exposed to. \* The risk of storing radioactive material in tanks not created for storing radioactive materials. \* The risk of "recycling" produced water—radioactivity cannot be removed by recycling. \* The risk to the public in transporting radioactive materials Argonne National Laboratory recently cautioned about radiological doses: "It is commonly accepted that efforts should be undertaken at all times to keep radiological doses 'as low as reasonably achievable,' which is referred to as the ALARA principle or requirement." Overview of Radiological Dose and Risk Assessment (April 2011). DNR is failing to even adequately test for radioactivity and therefore, will not know the levels of radioactivity. How, then, can DNR adequately protect workers and the general public? Revisions needed: At a bare minimum, the rules should require that "produced water" be tested at two separate intervals across time for radioactivity. This is already required in Pennsylvania. The rules should also require that the requirements of the Illinois Low Level Radioactivity Waste Management Act be followed.

## Fair Economy Illinois

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Sincerely, Treesong 2030 S Illinois Ave #9 Carbondale, IL 62903

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Abraham Secular Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Adriana Caballero Oak Park, IL 60302



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Aija Nemer-Aanerud Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Aija Nemer-Aanerud Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Alen Makhmudov Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Alonzo Cummins Chicago, IL 60612

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Alyssa Carabez Carabez Brookfield, IL 60573

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Alyssa Carabez Carabez Brookfield, IL 60573

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Amelia Dmouska Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Angela Li Chicago, IL 60637



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Angela Li Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Angela Li Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Anica Washington Chicago, IL 60619

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Anna Woolery Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Ashish Kathuria Vernon Hills, IL 60601

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Ashley Seymour Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Ashley Seymour Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Ashley Seymour Chicago, IL 60615



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Ashley Seymour Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Baylee Champion Chicago, IL 60616

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Baylee Champion Chicago, IL 60616

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Benjamin Chametzky Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Beth Rempe Champaign, IL 61820

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Beth Rempe Champaign, IL 61820

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Beth Rempe Champaign, IL 61820

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Beth Rempe Champaign, IL 61820



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Bing Li Chicago, IL 60608

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Bob Venier Dixon, IL 61021

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Bonnie Krodel Westmont, IL 60559

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Brent Ritzel 810 N. Springer St. Carbondale, IL 62901

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Brent Ritzel 810 N. Springer St. Carbondale, IL 62901

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Brian Menzel Chicago, IL 60608

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Bruce Anderson Rolling Meadows, IL 60008

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Bruce Ostidick Elgin, IL 60123



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Bruce Ostidick Elgin, IL 60123

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Camil Machaj Lemont, IL 60439

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Carolyn Treadway Normal, IL 61761

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Carolyn Treadway Normal, IL 61761

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Carolyn Treadway Normal, IL 61761

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Carolyn Treadway Normal, IL 61761

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Chris Turner Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Chris Turner Chicago, IL 60637



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Christian Mortensen Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Christian Mortensen Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Clara Kao Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Clara Kao Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Curtis Morris Chicago, IL 60607

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Dakota Dompke Belleville, IL 62221

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Dakota Dompke Belleville, IL 62221

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Dan Perry Chicago, IL 60657



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, David Zask NY, IL 10128

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, David Zask NY, IL 10128

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Diamond Hartwell Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Dominic Giafagione Carbondale, IL 62901

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Donovan Snyder Snyder Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Dylan Amlin Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Dylan Amlin Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Elizabeth A. Cerny 7728 Williams St. Downers Grove, IL 60516



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Elizabeth A. Cerny 7728 Williams St. Downers Grove, IL 60516

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Emerson Delgado Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Emerson Delgado Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Emily Huang Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Emily Huang Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, France's Hoffman Chicago, IL 60657

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Frank Pettis Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Gadrel Williams Chicago, IL 60637



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Gerry Hoffman Chicago, IL 60657

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Gianna Chacon 525 South State Street (Apt. 1326) Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Gianna Chacon 525 South State Street (Apt. 1326) Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Gianna Chacon Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Girwana Baker Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Glen Edward Litchfield Darien, IL 60561

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Glen Edward Litchfield Darien, IL 60561

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Grace Pai Chicago, IL 60615



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Gus Novoa Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Hannah Campbell Gustafson Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Hannah Kershner Galena, IL 61036

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, James Alstrum Normal, IL 61761

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, James Alstrum Normal, IL 61761

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, James Wauer Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Jason Busser Dixon, IL 61021

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Jason Busser Dixon, IL 61021



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Jay Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Jay Keating 17007 S 82nd Avenue tinley park, IL 60477

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Jessa Dahl Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Jesse Silliman Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Jesse Silliman Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, joann conrad 13 red oak lane springfield, IL 62712

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, joann conrad 13 red oak lane springfield, IL 62712

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, joann conrad 13 red oak lane springfield, IL 62712



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, joann conrad 13 red oak lane springfield, IL 62712

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, joann conrad 13 red oak lane springfield, IL 62712

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, joann conrad 13 red oak lane springfield, IL 62712

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, joann conrad 13 red oak lane springfield, IL 62712

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Joanna Stauder Belleville, IL 62220

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Joanna Stauder Belleville, IL 62220

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Joanna Stauder Belleville, IL 62220

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Joey Knotts Chicago, IL 60605



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, John Gamino Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, John Hunt Chicago, IL 60641

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Johnathan Guy Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Johnathan Guy Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Johnathan Guy Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Jonny Gill Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Jonny Gill Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Jonny Gill Chicago, IL 60605



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Jorge Sanchez Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Julia Ogilvie 1806 Marion Court Wheaton, IL 60187

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Julia Ogilvie 1806 Marion Court Wheaton, IL 60187

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Kaijie Wang Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Karina Hendren Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Kathy Machaj Chicago, IL 60607

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Kathy Machaj Chicago, IL 60607

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Katie Lettie Chicago, IL 60637



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Katie Lettie Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Kayli Horne Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Kelsey Chicago, IL 60631

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Kelsey Chicago, IL 60631

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Ken Buck Naperville, IL 60540

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Kevin Casto Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Kiehlor Mack Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Kristen Rosario Chicago, IL 60605



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Kristen Rosario Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Lavine Hemlani Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Leilani Douglas Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Lexington Lawson Chicago, IL 60640

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Lexington Lawson Chicago, IL 60640

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Liza Pono Chicago, IL 60616

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Lucia Amorelli 1690 Sheppard Ln. Makanda, IL 62958

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Lucia Amorelli 1690 Sheppard Ln. Makanda, IL 62958



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Lucia Amorelli 1690 Sheppard Ln. Makanda, IL 62958

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Luke Dobbs Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Luz Magdaleno Chicago, IL 60632

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Luz Magdaleno Chicago, IL 60632

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Luz Magdaleno Chicago, IL 60632

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Luz Magdaleno Chicago, IL 60632

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, M J Smerken Murphysboro, IL 62966

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, maayan olshan Chicago, IL 60615



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Maddison Davis Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Maheema Haque Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Mary Ellen Barbezat Elgin, IL 60120

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Maryann Condren Naperville, IL 60540

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Matt Chappell Tuscola, IL 61953

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Matthew Pava 401 Krebs Dr Champaign, IL 61822

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Matthew Pava 401 Krebs Dr Champaign, IL 61822

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Matthew Raigosa Chicago, IL 60608



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Michael Perino Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Min Li Naperville, IL 60564

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Min Li Naperville, IL 60564

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Molly Connor Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Nancy Penney Monticello, IL 61856

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Nancy Penney Monticello, IL 61856

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Natalya Glaser Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Natalya Glaser Chicago, IL 60637



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Navroz Tharani Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Neeta D'Souza Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Nicholas Andrew Luthi Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Nora Helfand Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Nora Helfand Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Norma Claire Moruzzi Chicago, IL 60640

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Nour Abdelmonem Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Nour Abdelmonem Chicago, IL 60637



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Nour Abdelmonem Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Olivia Stovicek Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Olivia Stovicek Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Patricia Simpson Philo, IL 61864

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Patricia Simpson Philo, IL 61864

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Patricia Simpson Philo, IL 61864

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law. Show Your information

Sincerely, patricia withers 4152 fishermans terrace Lyons, IL 60534

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Patrick Dexter Chicago, IL 60615



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Patti Walker RR#2 (Box42a) Karbers Ridge, IL 62955

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Peter Dompke Belleville, IL 62221

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Peter Dompke Belleville, IL 62221

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Peter Dompke Belleville, IL 62221

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Rachel Katz Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Rachel Pinker Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Rachel Pinker Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Rachel Pinker Chicago, IL 60637



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Ramon Valladarez Chicago, IL 60642

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Ramon Valladarez Chicago, IL 60642

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Ramon Valladarez Chicago, IL 60642

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Rebecca McBride Mahomet, IL 61875

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Rebecca McBride Mahomet, IL 61875

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Rebecca McBride Mahomet, IL 61875

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Reed Mershon Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Roberta Weiner Chicago, IL 60637



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Ron Yehoshua Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Ron Yehoshua Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Ryn Grantham Grantham Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Sam Vexler Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Samantha Martin Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Samantha Martin Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Sandeep Malladi Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Sandeep Malladi Chicago, IL 60637



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Sandeep Malladi Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Sara Buck Chicago, IL 60640

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Sarah Kindt Chicago, IL 60607

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Schuyler Sanderson Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Scott Condren Chicago , IL 60608

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Scott Condren Chicago , IL 60608

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Scott Condren Chicago, IL 60608

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Scott Condren Chicago, IL 60608



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Sean Tyler Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Shrabya Timinsia Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Simone Serhan Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Simone Serhan Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Simone Serhan Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Sloane Moore River Forest, IL 60305

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, sonja chan 944 w walnut st kankakee, IL 60901

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Sophia Johnson Chicago, IL 60605



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Stanley Archacki Westmont, IL 60559

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Tarek Amrouch Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Tim Law Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Tim Law Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Tim Law Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Tim Law Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Vadim Tanyoin Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Vik Lobo Chicago, IL 60637



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Vik Lobo Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Vincent Beltrano Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Virginia Baker Chicago, IL 60608

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Virginia Baker Chicago, IL 60608

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Weili Zheng Chicago, IL 60607

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Weili Zheng Chicago, IL 60607

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Westin Campo Chicago, IL 60608

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Westin Campo Chicago, IL 60608



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Westin Campo Chicago, IL 60608

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Westin Campo  
chicago, IL 60608

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, William LaBounty Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, William Toole Godfrey, IL 62035

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Zaid Mctabi Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Zaid Mctabi Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c) (5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Jill Paulus wheaton, IL 60187

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c) (5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Keri Curtis Peru, IL 61354



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c) (5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, Keri Curtis Peru, IL 61354

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Notably absent from these proposed rules is a requirement for the testing of "produced water", the fluid that returns from the well during the later stage of production (after flowback). Under the proposed rules, "produced water" can be stored on site and/or can be "recycled", yet there is no testing requirement. Naturally occurring radioactive material (NORM) is found in "produced water" also. See Technologically enhanced naturally occurring radioactive materials in the oil industry (TENORM), Nukleonika 2009; 54(1):3-9, and sources cited therein, especially for TENORM in produced water in the U.S., available at [http://www.nukleonika.pl/www/back/full/vol54\\_2009/v54n1p003f.pdf](http://www.nukleonika.pl/www/back/full/vol54_2009/v54n1p003f.pdf). See also NORM is also found on scale in oil pipes and on fracking equipment. (See Kentucky Resources Council Proposes Comprehensive Plan For Investigating Radiological Contamination In Martha Oil Field. August 11, 2005. <http://www.kyrc.org/webnewspro/112381723236086.shtml>.) IDNR's definitions of "flowback water" and "produced water" are different. The two are distinguishably different enough that they are treated as separate types of fluid by both the Hydraulic Fracturing Regulatory Act and by the DNR Rules. Discharge of produced water onto the ground or into surface water or water drainage way is prohibited but it is not tested for radioactivity. This despite the fact that this fluid will be in contact with the naturally occurring radioactive elements in the ground for a longer period than the flowback and that it is much more likely to be radioactive. Problems: Failure to test produced water for radioactivity is problematic for a variety of reasons including: The health and safety of workers on the site who will be unaware of the levels of radioactivity they are being exposed to. The health and safety of workers transporting produced water who will also be in the dark regarding the levels of radioactivity they will be exposed to. The risk of storing radioactive material in tanks not created for storing radioactive materials. The risk of "recycling" produced water—radioactivity cannot be removed by recycling. The risk to the public in transporting radioactive materials Argonne National Laboratory recently cautioned about radiological doses: "It is commonly accepted that efforts should be undertaken at all times to keep radiological doses 'as low as reasonably achievable,' which is referred to as the ALARA principle or requirement." Overview of Radiological Dose and Risk Assessment (April 2011). DNR is failing to even adequately test for radioactivity and therefore, will not know the levels of radioactivity. How, then, can DNR adequately protect workers and the general public? Revisions needed: At a bare minimum, the rules should require that "produced water" be tested at two separate intervals across time for radioactivity. This is already required in Pennsylvania. The rules should also require that the requirements of the Illinois Low Level Radioactivity Waste Management Act be followed.

Sincerely, Brenna Moss Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Elizabeth Patula Makanda, IL 62958

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Linda Green 422 East 450 North Rd MORRISONVILLE, IL 62546

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Patti Walker RR#2 (Box42a) Karbers Ridge, IL 62955

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Patti Walker RR#2 (Box42a) Karbers Ridge, IL 62955

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Abby Dompke Chicago, IL 60607

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Adriana Caballero Oak Park, IL 60302



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Adriana Caballero Oak Park, IL 60302

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Alen Makhmudov Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Alen Makhmudov Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Alen Makhmudov Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Alexandra Lynn Chicago, IL 606

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Alicia Klepfer Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Alicia Klepfer Chicago, IL 60615



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Alonzo Cummins Chicago, IL 60612

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Alyssa Carabez Carabez Brookfield, IL 60573

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Alyssa Carabez Carabez Brookfield, IL 60573

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Alyssa Carabez Carabez Brookfield, IL 60573

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Ammar Kalimullah Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Angela Li Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Anica Washington Chicago, IL 60619

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Anica Washington Chicago, IL 60619



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Anica Washington Chicago, IL 60619

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Anica Washington Chicago, IL 60619

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Anica Washington Chicago, IL 60619

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Anica Washington Chicago, IL 60619

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Anna Woolery Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Ashish Kathuria Vernon Hills, IL 60601

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Ava Benezra Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Baylee Champion Chicago, IL 60616



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Baylee Champion Chicago, IL 60616

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Benjamin Chametzky Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Bing Li Chicago, IL 60608

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Brandi Madrid Chicago, IL 60640

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Brent Ritzel 810 N. Springer St. Carbondale, IL 62901

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Brent Ritzel 810 N. Springer St. Carbondale, IL 62901

## Fair Economy Illinois

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Sincerely, Brent Ritzel 810 N. Springer St. Carbondale, IL 62901

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Brian Menzel Chicago, IL 60608



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Britni Austin Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Carla Hunter Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Carla Hunter Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Carla Hunter Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Christian Mortensen Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Christiane Rey 3651 N. Francisco Ave. Chicago, IL 60618

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Clara Kao Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Colleen Dennis Chicago, IL 60605



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Curtis Morris Chicago, IL 60607

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Dan Perry Chicago, IL 60657

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Daniel Ramus CHicago, IL 60625

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, David Klawitter Chicago, IL 60607

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, David Zask NY, IL 10128

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, David Zask NY, IL 10128

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, David Zask NY, IL 10128

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Diamond Hartwell Chicago, IL 60605



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Durango Mendoza Urbana, IL 61801

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Dylon Busser Chicago, IL 60647

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Edith Villavicencio New York, IL 10003

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Edith Villavicencio New York, IL 10003

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found.

Sincerely, Elizabeth A. Cerny 7728 Williams St. Downers Grove, IL 60516

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found.

Sincerely, Elizabeth A. Cerny 7728 Williams St. Downers Grove, IL 60516

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Elizabeth Scrafford chicago, IL 60626

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Emerson Delgado Chicago, IL 60637



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Emilio Joseph Comay del Junco Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Emma LaBounty Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Francis Beach Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Francis Beach Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Francisco Spaulding Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Frank Pettis Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found.

Sincerely, Garrick Balk 236 Prairie Street South Elgin, IL 60177-1528

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Gianna Chacon Chicago, IL 60605



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Gianna Chacon Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Girwana Baker Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Girwana Baker Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Glen Edward Litchfield Darien, IL 60561

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Hannah Kershner Galena, IL 61036

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Harry Li Naperville, IL 60564

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, James Alstrum Normal, IL 61761

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Jasha Sommer-Simpson Chicago, IL 60615



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Jay Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Jay Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found.

Sincerely, jd paulus wheaton, IL 60187

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, jd paulus wheaton, IL 60187

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, jd paulus wheaton, IL 60187

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, jd paulus wheaton, IL 60187

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Jeff Engstrom Urbana, IL 61801

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Jesse Silliman Chicago, IL 60615



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Jesse Silliman Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Joe Kapran Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Joey Knotts Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Johh Haggerty NYC, IL 11215

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Johh Haggerty NYC, IL 11215

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Johh Haggerty NYC, IL 11215

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, John Gamino Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, John Hunt Chicago, IL 60641



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Jonny Gill Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Jonny Gill Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Jonny Gill Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Jorge Sanchez Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found.

Sincerely, Julia Ogilvie 1806 Marion Court Wheaton, IL 60187

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found.

Sincerely, Julia Ogilvie 1806 Marion Court Wheaton, IL 60187

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found.

Sincerely, Julia Ogilvie 1806 Marion Court Wheaton, IL 60187

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Kathy Machaj Chicago, IL 60607



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found.

Sincerely, Kathy Machaj One Carley Ct. Lemont, IL 60439

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found.

Sincerely, Kathy Machaj One Carley Ct. Lemont, IL 60439

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found.

Sincerely, Kathy Machaj One Carley Ct. Lemont, IL 60439

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found.

Sincerely, Kathy Machaj One Carley Ct. Lemont, IL 60439

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Katie Lettie Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Kayli Horne Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Ken Buck Naperville, IL 60540

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Kiehlor Mack Chicago, IL 60637



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Kris Chatterjee Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Lauren San Juan Chicago, IL 60608

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Lavine Hemlani Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Leilani Douglas Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Leilani Douglas Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Leilani Douglas Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Lexington Lawson Chicago, IL 60640

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Lexington Lawson Chicago, IL 60640



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Lexington Lawson Chicago, IL 60640

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Louis Clark Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Luke Dobbs Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Luz Magdaleno Chicago, IL 60632

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Luz Magdaleno Chicago, IL 60632

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found.

Sincerely, M Smerken Murphysboro, IL 62966

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, maayan olshan Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Maddison Davis Chicago, IL 60605



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Madeline McCann Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Madeline McCann Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Mansi Kathuria Chicago, IL 60647

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Mansi Kathuria Chicago, IL 60647

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Mary Trimmer Granite City, IL 62040

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Mary Trimmer Granite City, IL 62040

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Maryann Condren Naperville, IL 60540

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Maryann Condren Naperville, IL 60540



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Matt Steffen Lake Zurich, IL 60047

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Matt Steffen Lake Zurich, IL 60047

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Matthew Raigosa Chicago, IL 60608

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Micah Bennett Marion, IL 62959

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Micah Bennett Marion, IL 62959

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Michelle Mejia Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Michelle Mejia Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Michelle Mejia Chicago, IL 60637



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Mike Benz Chicago, IL 60645

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Nancy Penney Monticello, IL 61856

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Natalya Glaser Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Navroz Tharani Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Neeta D'Souza Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Nicholas Andrew Luthi Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Nora Helfand Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Nora Helfand Chicago, IL 60637



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Nora Helfand Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found.

Sincerely, Norma Claire Moruzzi Chicago, IL 60640

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found.

Sincerely, Patti Walker RR#2 (Box42a) Karbers Ridge, IL 62955

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Paul Kim Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Paul Papoutz Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Paul Papoutz Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Paulo Nacimiento Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Rachael Dompke Belleville, IL 62221



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Rachael Dompke Belleville, IL 62221

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found.

Sincerely, Rachel Baker Chicago , IL 60625

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Rachel Baker Chicago, IL 60625

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Rachel Pinker Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Rachel Pinker Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Rachel Pinker Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found.

Sincerely, Raegan N Sheedy 426 East 450 North Rd MORRISONVILLE, IL 62546

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Raegan N Sheedy 426 East 450 North Rd MORRISONVILLE, IL 62546



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Raj Kapoor Oak Park, IL 60302

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Ramon Valladarez Chicago, IL 60642

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Rebecca Foster Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Rebecca Quesnell Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Rebecca Quesnell Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Rebecca Quesnell Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Rebecca Quesnell Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Reed Mershon Chicago, IL 60637



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Reed Mershon Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Ron Yehoshua Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Ryan Kidman Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, sam zacher Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Samantha Martin Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Sandeep Malladi Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found.

Sincerely, Sandra Nickerson West Dundee, IL 60118

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Sara Buck Chicago, IL 60640



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Sara Buck Chicago, IL 60640

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Sara Buck Chicago, IL 60640

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Sarah Kindt Chicago, IL 60607

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Schuyler Sanderson Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Schuyler Sanderson Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Scott Condren Chicago , IL 60608

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Scott Condren Chicago, IL 60608

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Scott Condren Chicago, IL 60608



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Scott Condren Chicago, IL 60608

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Scott Condren Chicago, IL 60608

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Scott Condren Chicago, IL 60608

## Fair Economy Illinois

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Sincerely, Sean Tyler Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Shaden Amara Naperville, IL 60564

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Shaden Amara Naperville, IL 60564

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Shawn Mukherji Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Shrabya Timinsia Chicago, IL 60637



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Shrabya Timinsia Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Sloane Moore River Forest, IL 60305

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Sloane Moore River Forest, IL 60305

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Sloane Moore River Forest, IL 60305

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, sonja chan 944 w walnut st kankakee, IL 60901

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, sonja chan 944 w walnut st kankakee, IL 60901

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Tarek Amrouch Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Tommy Talley Chicago, IL 60617



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Tori Root Naperville, IL 60564

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Treesong 2030 S Illinois Ave #9 Carbondale, IL 62903

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Tybee McLaughlin Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Tybee McLaughlin Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Veronica Murashige Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Virginia Baker Chicago, IL 60608

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Virginia Baker Chicago, IL 60608

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Virginia Baker Chicago, IL 60608



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Westin Campo Chicago, IL 60608

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Westin Campo Chicago, IL 60608

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, William Thomas Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, William Thomas Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, William Thomas Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, William Toole Godfrey, IL 62035

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Yijian Li Naperville, IL 60564

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." The General Assembly (implicitly) granted IDNR the authority to define "radioactivity." Radioactivity is a many splendored thing and comes in four major flavors: uranium 238, radium 226 and radium 228, and radon222. Each of these poses its own risks to our soil, water--and radon levels in our kitchens. So, will IDNR mandate testing for all four? Three? Two? One? The rule does not say. Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. Also IDNR should test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead.

Sincerely, Yijian Li Naperville, IL 60564



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Yijian Li Naperville, IL 60564

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Young-In Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Young-In Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Yvette McGivern Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Yvette McGivern Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Zach Taylor Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Zach Taylor Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The proposed rules include no follow-up requirements or standards if testing shows radioactivity levels in flowback to be high. In other words, these proposed rules treat flowback the same whether it is highly radioactive or not! DNR knows that naturally occurring radioactivity material occurs in Illinois oil and gas operations. See 62 Ill. Admin. Code secs. 240.860(e)(3), 240.861(k)(1)(C). Revisions Needed: The rules must specify how flowback AND produced water will be treated if they test positive for radioactivity. The rules should also require that the requirements of the Illinois Low Level Radioactivity Waste Management Act be followed.

Sincerely, Adriana Caballero Oak Park, IL 60302



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Alex Farrenkopf Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Alicia Klepfer Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Alicia Klepfer Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The proposed rules include no follow-up requirements or standards if testing shows radioactivity levels in flowback to be high. In other words, these proposed rules treat flowback the same whether it is highly radioactive or not! DNR knows that naturally occurring radioactivity material occurs in Illinois oil and gas operations. See 62 Ill. Admin. Code secs. 240.860(e)(3), 240.861(k)(1)(C). The Act calls for a "traffic light" system seismicity. It is our opinion that such a traffic light system is far more important for radioactivity and IDNR has the "Power and authority" to create one. Yet, it does not do so. At what level is intervention by the Illinois Emergency Management Administration, which bears responsibility for the Low Level Radioactivity Management Act, appropriate under an interagency memorandum? IDNR does not say. At what level of worker exposure is OSHA involvement desirable? IDNR does not say. How is radioactive scrap pipe to be kept out of the recycle metal market? Once more, IDNR remains silent. Revisions Needed: The rules must specify how flowback AND produced water will be treated if they test positive for radioactivity. The rules should also require that the requirements of the Illinois Low Level Radioactivity Waste Management Act be followed. More specifically: 1. Test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead. 2. Rely on experts and scientific studies, to create a radioactivity traffic light system with cut points for: (1) controlled management, transportation, and disposal of any water, solids, or metals that meet or exceed criterion classifying it as low level radioactive waste; (2) guidance/intervention by OSHA when safety clothing, gloves and goggles are required to reduce workplace exposure; (3) quarantines for natural gas with elevated radon levels until those levels drop to a point where the gas is safe (after transport) for retail markets; (4) rigorous labeling, management, and disposal rules for radioactive pipe and equipment; (5) the posting of easily read, prominently displayed radioactive warning signs; (6) creating clean zones for eating and storing personal goods at wells sites deemed a potential workplace hazard.

Sincerely, Alyssa Carabez Carabez Brookfield, IL 60573

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Amelia Dmouska Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Andrew Hwang Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Andrew Hwang Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, andrew hwang Chicago, IL 60615



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Andrew Hwang Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Angela Li Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Angela Li Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Anna Ronnen Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Anna Ronnen Chicago, IL 60637

## Fair Economy Illinois

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Sincerely, Anna Woolery Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Ashish Kathuria Vernon Hills, IL 60601

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Ashish Kathuria Vernon Hills, IL 60601



## Fair Economy Illinois

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Sincerely, Ashley Seymour Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The proposed rules include no follow-up requirements or standards if testing shows radioactivity levels in flowback to be high. In other words, these proposed rules treat flowback the same whether it is highly radioactive or not! DNR knows that naturally occurring radioactivity material occurs in Illinois oil and gas operations. See 62 Ill. Admin. Code secs. 240.860(e)(3), 240.861(k)(1)(C). The Act calls for a "traffic light" system seismicity. It is our opinion that such a traffic light system is far more important for radioactivity and IDNR has the "Power and authority" to create one. Yet, it does not do so. At what level is intervention by the Illinois Emergency Management Administration, which bears responsibility for the Low Level Radioactivity Management Act, appropriate under an interagency memorandum? IDNR does not say. At what level of worker exposure is OSHA involvement desirable? IDNR does not say. How is radioactive scrap pipe to be kept out of the recycle metal market? Once more, IDNR remains silent. Revisions Needed: The rules must specify how flowback AND produced water will be treated if they test positive for radioactivity. The rules should also require that the requirements of the Illinois Low Level Radioactivity Waste Management Act be followed. More specifically: 1. Test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead. 2. Rely on experts and scientific studies, to create a radioactivity traffic light system with cut points for: (1) controlled management, transportation, and disposal of any water, solids, or metals that meet or exceed criterion classifying it as low level radioactive waste; (2) guidance/intervention by OSHA when safety clothing, gloves and goggles are required to reduce workplace exposure; (3) quarantines for natural gas with elevated radon levels until those levels drop to a point where the gas is safe (after transport) for retail markets; (4) rigorous labeling, management, and disposal rules for radioactive pipe and equipment; (5) the posting of easily read, prominently displayed radioactive warning signs; (6) creating clean zones for eating and storing personal goods at wells sites deemed a potential workplace hazard.

Sincerely, Ashley Seymour Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Ashley Seymour Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Benjamin Boyajian Chicago, IL 60615

## Fair Economy Illinois

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Sincerely, Benjamin Boyajian Chicago, IL 60615

## Fair Economy Illinois

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Sincerely, Benjamin Chametzky Chicago, IL 60637

## Fair Economy Illinois

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Sincerely, Bianca Chamusco Chicago, IL 60615

## Fair Economy Illinois

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## Fair Economy Illinois

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## Fair Economy Illinois

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Sincerely, Bob Venier Dixon, IL 61021

## Fair Economy Illinois

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Sincerely, Bonnie Krodel Westmont, IL 60559

## Fair Economy Illinois

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Sincerely, Brandi Madrid Chicago, IL 60640

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Brandi Madrid Chicago, IL 60640

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Breanna Champion Chicago, IL 60616



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Breanna Champion Chicago, IL 60616

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Brent Ritzel 810 N. Springer St. Carbondale, IL 62901

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Brian Menzel Chicago, IL 60608

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Brianna Tong 5122 S University Ave (#1) Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Britni Austin Chicago, IL 60605

## Fair Economy Illinois

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Sincerely, Bruce Ostidick Elgin, IL 60123

## Fair Economy Illinois

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Sincerely, Camil Machaj Lemont, IL 60439



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Carla Hunter Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Chris Turner Chicago, IL 60637

## Fair Economy Illinois

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Sincerely, Cindy Chung Chicago, IL 60637

## Fair Economy Illinois

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Sincerely, Clara Kao Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Clara Kao Chicago, IL 60637

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The proposed rules include no follow-up requirements or standards if testing shows radioactivity levels in flowback to be high. In other words, these proposed rules treat flowback the same whether it is highly radioactive or not! DNR knows that naturally occurring radioactivity material occurs in Illinois oil and gas operations. See 62 Ill. Admin. Code secs. 240.860(e)(3), 240.861(k)(1)(C). The Act calls for a "traffic light" system seismicity. It is our opinion that such a traffic light system is far more important for radioactivity and IDNR has the "Power and authority" to create one. Yet, it does not do so. At what level is intervention by the Illinois Emergency Management Administration, which bears responsibility for the Low Level Radioactivity Management Act, appropriate under an interagency memorandum? IDNR does not say. At what level of worker exposure is OSHA involvement desirable? IDNR does not say. How is radioactive scrap pipe to be kept out of the recycle metal market? Once more, IDNR remains silent. Revisions Needed: The rules must specify how flowback AND produced water will be treated if they test positive for radioactivity. The rules should also require that the requirements of the Illinois Low Level Radioactivity Waste Management Act be followed. More specifically: 1. Test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead. 2. Rely on experts and scientific studies, to create a radioactivity traffic light system with cut points for: (1) controlled management, transportation, and disposal of any water, solids, or metals that meet or exceed criterion classifying it as low level radioactive waste; (2) guidance/intervention by OSHA when safety clothing, gloves and goggles are required to reduce workplace exposure; (3) quarantines for natural gas with elevated radon levels until those levels drop to a point where the gas is safe (after transport) for retail markets; (4) rigorous labeling, management, and disposal rules for radioactive pipe and equipment; (5) the posting of easily read, prominently displayed radioactive warning signs; (6) creating clean zones for eating and storing personal goods at wells sites deemed a potential workplace hazard.

Sincerely, Clara Kao Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Colleen Dennis Chicago, IL 60605



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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## Fair Economy Illinois

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Sincerely, Curtis Morris Chicago, IL 60607

## Fair Economy Illinois

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Sincerely, Dan Perry Chicago, IL 60657

## Fair Economy Illinois

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Sincerely, Daniel Ramus Chicago, IL 60625

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Sincerely, David Klawitter Chicago, IL 60607

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Sincerely, David Zask NY, IL 10128



## Fair Economy Illinois

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Sincerely, Dominic Giafagione Carbondale, IL 62901

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Sincerely, Donovan Snyder Snyder Chicago, IL 60605

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The proposed rules include no follow-up requirements or standards if testing shows radioactivity levels in flowback to be high. In other words, these proposed rules treat flowback the same whether it is highly radioactive or not! DNR knows that naturally occurring radioactivity material occurs in Illinois oil and gas operations. See 62 Ill. Admin. Code secs. 240.860(e)(3), 240.861(k)(1)(C). The Act calls for a "traffic light" system seismicity. It is our opinion that such a traffic light system is far more important for radioactivity and IDNR has the "Power and authority" to create one. Yet, it does not do so. At what level is intervention by the Illinois Emergency Management Administration, which bears responsibility for the Low Level Radioactivity Management Act, appropriate under an interagency memorandum? IDNR does not say. At what level of worker exposure is OSHA involvement desirable? IDNR does not say. How is radioactive scrap pipe to be kept out of the recycle metal market? Once more, IDNR remains silent. Revisions Needed: The rules must specify how flowback AND produced water will be treated if they test positive for radioactivity. The rules should also require that the requirements of the Illinois Low Level Radioactivity Waste Management Act be followed. More specifically: 1. Test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead. 2. Rely on experts and scientific studies, to create a radioactivity traffic light system with cut points for: (1) controlled management, transportation, and disposal of any water, solids, or metals that meet or exceed criterion classifying it as low level radioactive waste; (2) guidance/intervention by OSHA when safety clothing, gloves and goggles are required to reduce workplace exposure; (3) quarantines for natural gas with elevated radon levels until those levels drop to a point where the gas is safe (after transport) for retail markets; (4) rigorous labeling, management, and disposal rules for radioactive pipe and equipment; (5) the posting of easily read, prominently displayed radioactive warning signs; (6) creating clean zones for eating and storing personal goods at wells sites deemed a potential workplace hazard.

Sincerely, Durango Mendoza Urbana, IL 61801

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The proposed rules include no follow-up requirements or standards if testing shows radioactivity levels in flowback to be high. In other words, these proposed rules treat flowback the same whether it is highly radioactive or not! DNR knows that naturally occurring radioactivity material occurs in Illinois oil and gas operations. See 62 Ill. Admin. Code secs. 240.860(e)(3), 240.861(k)(1)(C). The Act calls for a "traffic light" system seismicity. It is our opinion that such a traffic light system is far more important for radioactivity and IDNR has the "Power and authority" to create one. Yet, it does not do so. At what level is intervention by the Illinois Emergency Management Administration, which bears responsibility for the Low Level Radioactivity Management Act, appropriate under an interagency memorandum? IDNR does not say. At what level of worker exposure is OSHA involvement desirable? IDNR does not say. How is radioactive scrap pipe to be kept out of the recycle metal market? Once more, IDNR remains silent. Revisions Needed: The rules must specify how flowback AND produced water will be treated if they test positive for radioactivity. The rules should also require that the requirements of the Illinois Low Level Radioactivity Waste Management Act be followed. More specifically: 1. Test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead. 2. Rely on experts and scientific studies, to create a radioactivity traffic light system with cut points for: (1) controlled management, transportation, and disposal of any water, solids, or metals that meet or exceed criterion classifying it as low level radioactive waste; (2) guidance/intervention by OSHA when safety clothing, gloves and goggles are required to reduce workplace exposure; (3) quarantines for natural gas with elevated radon levels until those levels drop to a point where the gas is safe (after transport) for retail markets; (4) rigorous labeling, management, and disposal rules for radioactive pipe and equipment; (5) the posting of easily read, prominently displayed radioactive warning signs; (6) creating clean zones for eating and storing personal goods at wells sites deemed a potential workplace hazard.

Sincerely, Dylan Amlin Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Dylan Amlin Chicago, IL 60640

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Dylan Busser Chicago, IL 60647



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Dylan Busser Chicago, IL 60647

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Dylan Busser Chicago, IL 60647

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Dylan Busser Chicago, IL 60647

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, E Zemin Champaign, IL 61821

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Edith Villavicencio New York, IL 10003

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Elizabeth Patula Makanda, IL 62958

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Elizabeth Patula Makanda, IL 62958

## Fair Economy Illinois

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Sincerely, Elizabeth Patula Makanda, IL 62958



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Elizabeth Patula Makanda, IL 62958

## Fair Economy Illinois

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Sincerely, Elizabeth Scrafford Chicago, IL 60626

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Emilio Joseph Comay del Junco Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The proposed rules include no follow-up requirements or standards if testing shows radioactivity levels in flowback to be high. In other words, these proposed rules treat flowback the same whether it is highly radioactive or not! DNR knows that naturally occurring radioactivity material occurs in Illinois oil and gas operations. See 62 Ill. Admin. Code secs. 240.860(e)(3), 240.861(k)(1)(C). The Act calls for a "traffic light" system seismicity. It is our opinion that such a traffic light system is far more important for radioactivity and IDNR has the "Power and authority" to create one. Yet, it does not do so. At what level is intervention by the Illinois Emergency Management Administration, which bears responsibility for the Low Level Radioactivity Management Act, appropriate under an interagency memorandum? IDNR does not say. At what level of worker exposure is OSHA involvement desirable? IDNR does not say. How is radioactive scrap pipe to be kept out of the recycle metal market? Once more, IDNR remains silent. Revisions Needed: The rules must specify how flowback AND produced water will be treated if they test positive for radioactivity. The rules should also require that the requirements of the Illinois Low Level Radioactivity Waste Management Act be followed. More specifically: 1. Test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead. 2. Rely on experts and scientific studies, to create a radioactivity traffic light system with cut points for: (1) controlled management, transportation, and disposal of any water, solids, or metals that meet or exceed criterion classifying it as low level radioactive waste; (2) guidance/intervention by OSHA when safety clothing, gloves and goggles are required to reduce workplace exposure; (3) quarantines for natural gas with elevated radon levels until those levels drop to a point where the gas is safe (after transport) for retail markets; (4) rigorous labeling, management, and disposal rules for radioactive pipe and equipment; (5) the posting of easily read, prominently displayed radioactive warning signs; (6) creating clean zones for eating and storing personal goods at wells sites deemed a potential workplace hazard.

Sincerely, Emily Huang Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Emma LaBounty 5122 S. University Ave Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Emma LaBounty Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Emma LaBounty Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Florence Elgin, IL 60123



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Florence Elgin, IL 60123

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Sincerely, Francisco Spaulding Chicago, IL 60637

## Fair Economy Illinois

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## Fair Economy Illinois

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Sincerely, Gadrel Williams Chicago, IL 60637

## Fair Economy Illinois

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Sincerely, Gadrel Williams Chicago, IL 60637

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Sincerely, Garrick Balk 236 Prairie Street South Elgin, IL 60177-1528

## Fair Economy Illinois

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Sincerely, Gianna Chacon Chicago, IL 60605



## Fair Economy Illinois

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Sincerely, Gus Novoa Chicago, IL 60637

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Sincerely, Hannah Campbell Gustafson Chicago, IL 60637

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Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The proposed rules include no follow-up requirements or standards if testing shows radioactivity levels in flowback to be high. In other words, these proposed rules treat flowback the same whether it is highly radioactive or not! DNR knows that naturally occurring radioactivity material occurs in Illinois oil and gas operations. See 62 Ill. Admin. Code secs. 240.860(e)(3), 240.861(k)(1)(C). The Act calls for a "traffic light" system seismicity. It is our opinion that such a traffic light system is far more important for radioactivity and IDNR has the "Power and authority" to create one. Yet, it does not do so. At what level is intervention by the Illinois Emergency Management Administration, which bears responsibility for the Low Level Radioactivity Management Act, appropriate under an interagency memorandum? IDNR does not say. At what level of worker exposure is OSHA involvement desirable? IDNR does not say. How is radioactive scrap pipe to be kept out of the recycle metal market? Once more, IDNR remains silent. Revisions Needed: The rules must specify how flowback AND produced water will be treated if they test positive for radioactivity. The rules should also require that the requirements of the Illinois Low Level Radioactivity Waste Management Act be followed. More specifically: 1. Test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead. 2. Rely on experts and scientific studies, to create a radioactivity traffic light system with cut points for: (1) controlled management, transportation, and disposal of any water, solids, or metals that meet or exceed criterion classifying it as low level radioactive waste; (2) guidance/intervention by OSHA when safety clothing, gloves and goggles are required to reduce workplace exposure; (3) quarantines for natural gas with elevated radon levels until those levels drop to a point where the gas is safe (after transport) for retail markets; (4) rigorous labeling, management, and disposal rules for radioactive pipe and equipment; (5) the posting of easily read, prominently displayed radioactive warning signs; (6) creating clean zones for eating and storing personal goods at wells sites deemed a potential workplace hazard.

Sincerely, Jady YTolda chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, James Alstrum Normal, IL 61761

## Fair Economy Illinois

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Sincerely, Jasha Sommer-Simpson Chicago, IL 60615

## Fair Economy Illinois

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Sincerely, Jason Busser Dixon, IL 61021

## Fair Economy Illinois

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Sincerely, Jessica Green Chicago, IL 60637



## Fair Economy Illinois

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Sincerely, Jill Paulus Wheaton, IL 60187

## Fair Economy Illinois

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Sincerely, Joanna Stauder Belleville, IL 62220

## Fair Economy Illinois

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Sincerely, Joe Kapran Chicago, IL 60615

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The proposed rules include no follow-up requirements or standards if testing shows radioactivity levels in flowback to be high. In other words, these proposed rules treat flowback the same whether it is highly radioactive or not! DNR knows that naturally occurring radioactivity material occurs in Illinois oil and gas operations. See 62 Ill. Admin. Code secs. 240.860(e)(3), 240.861(k)(1)(C). The Act calls for a "traffic light" system seismicity. It is our opinion that such a traffic light system is far more important for radioactivity and IDNR has the "Power and authority" to create one. Yet, it does not do so. At what level is intervention by the Illinois Emergency Management Administration, which bears responsibility for the Low Level Radioactivity Management Act, appropriate under an interagency memorandum? IDNR does not say. At what level of worker exposure is OSHA involvement desirable? IDNR does not say. How is radioactive scrap pipe to be kept out of the recycle metal market? Once more, IDNR remains silent. Revisions Needed: The rules must specify how flowback AND produced water will be treated if they test positive for radioactivity. The rules should also require that the requirements of the Illinois Low Level Radioactivity Waste Management Act be followed. More specifically: 1. Test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead. 2. Rely on experts and scientific studies, to create a radioactivity traffic light system with cut points for: (1) controlled management, transportation, and disposal of any water, solids, or metals that meet or exceed criterion classifying it as low level radioactive waste; (2) guidance/intervention by OSHA when safety clothing, gloves and goggles are required to reduce workplace exposure; (3) quarantines for natural gas with elevated radon levels until those levels drop to a point where the gas is safe (after transport) for retail markets; (4) rigorous labeling, management, and disposal rules for radioactive pipe and equipment; (5) the posting of easily read, prominently displayed radioactive warning signs; (6) creating clean zones for eating and storing personal goods at wells sites deemed a potential workplace hazard.

Sincerely, Joey Knotts Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Johnathan Guy Burton Judson Hall, 1005 E 60th St Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Johnathan Guy Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Johnathan Guy Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Johnathan Guy Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Jonny Gill Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Jorge Sanchez Chicago, IL 60637

## Fair Economy Illinois

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Sincerely, Joseph Gary New York, IL 10003



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Kaijie Wang Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Karina Hendren Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Kathryn Chapman Hamburg, IL 62045

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Kathryn Chapman Hamburg, IL 62045

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Kathy Machaj Chicago, IL 60607

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Kathy Machaj Chicago, IL 60607

## Fair Economy Illinois

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Sincerely, Katie Lettie Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The proposed rules include no follow-up requirements or standards if testing shows radioactivity levels in flowback to be high. In other words, these proposed rules treat flowback the same whether it is highly radioactive or not! DNR knows that naturally occurring radioactivity material occurs in Illinois oil and gas operations. See 62 Ill. Admin. Code secs. 240.860(e)(3), 240.861(k)(1)(C). The Act calls for a "traffic light" system seismicity. It is our opinion that such a traffic light system is far more important for radioactivity and IDNR has the "Power and authority" to create one. Yet, it does not do so. At what level is intervention by the Illinois Emergency Management Administration, which bears responsibility for the Low Level Radioactivity Management Act, appropriate under an interagency memorandum? IDNR does not say. At what level of worker exposure is OSHA involvement desirable? IDNR does not say. How is radioactive scrap pipe to be kept out of the recycle metal market? Once more, IDNR remains silent. Revisions Needed: The rules must specify how flowback AND produced water will be treated if they test positive for radioactivity. The rules should also require that the requirements of the Illinois Low Level Radioactivity Waste Management Act be followed. More specifically: 1. Test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead. 2. Rely on experts and scientific studies, to create a radioactivity traffic light system with cut points for: (1) controlled management, transportation, and disposal of any water, solids, or metals that meet or exceed criterion classifying it as low level radioactive waste; (2) guidance/intervention by OSHA when safety clothing, gloves and goggles are required to reduce workplace exposure; (3) quarantines for natural gas with elevated radon levels until those levels drop to a point where the gas is safe (after transport) for retail markets; (4) rigorous labeling, management, and disposal rules for radioactive pipe and equipment; (5) the posting of easily read, prominently displayed radioactive warning signs; (6) creating clean zones for eating and storing personal goods at wells sites deemed a potential workplace hazard.

Sincerely, Kayli Horne Chicago, IL 60615



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The proposed rules include no follow-up requirements or standards if testing shows radioactivity levels in flowback to be high. In other words, these proposed rules treat flowback the same whether it is highly radioactive or not! DNR knows that naturally occurring radioactivity material occurs in Illinois oil and gas operations. See 62 Ill. Admin. Code secs. 240.860(e)(3), 240.861(k)(1)(C). Revisions Needed: The rules must specify how flowback AND produced water will be treated if they test positive for radioactivity. The rules should also require that the requirements of the Illinois Low Level Radioactivity Waste Management Act be followed.

Sincerely, Ken Buck Naperville, IL 60540

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Ken Buck Naperville, IL 60540

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Kiehlor Mack Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Kiehlor Mack Chicago, IL 60637

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Sincerely, Kris Chatterjee Chicago, IL 60637

## Fair Economy Illinois

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Sincerely, Kurt Witteman Chicago, IL 60605

## Fair Economy Illinois

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Sincerely, Kurt Witteman Chicago, IL 60605



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Leilani Douglas 1414 E 59th St Chicago, IL 60637

## Fair Economy Illinois

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Sincerely, Lexington Lawson Chicago, IL 60640

## Fair Economy Illinois

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Sincerely, Liza Pono Chicago, IL 60616

## Fair Economy Illinois

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## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The proposed rules include no follow-up requirements or standards if testing shows radioactivity levels in flowback to be high. In other words, these proposed rules treat flowback the same whether it is highly radioactive or not! DNR knows that naturally occurring radioactivity material occurs in Illinois oil and gas operations. See 62 Ill. Admin. Code secs. 240.860(e)(3), 240.861(k)(1)(C). Revisions Needed: The rules must specify how flowback AND produced water will be treated if they test positive for radioactivity. The rules should also require that the requirements of the Illinois Low Level Radioactivity Waste Management Act be followed.

Sincerely, M Smerken Murphysboro, IL 62966

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, maayan olshan Chicago, IL 60615



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Maddison Davis Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Maheema Haque Chicago, IL 60637

## Fair Economy Illinois

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Sincerely, Marissa Godlewski Carbondale, IL 62901

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Mary Trimmer Granite City, IL 62040

## Fair Economy Illinois

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Sincerely, Mary Trimmer Granite City, IL 62040

## Fair Economy Illinois

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Sincerely, Maryann Condren Naperville, IL 60540

## Fair Economy Illinois

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Sincerely, Maryann Condren Naperville, IL 60540



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Sincerely, Matt Steffen Lake Zurich, IL 60047

## Fair Economy Illinois

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Sincerely, Micah Bennett Marion, IL 62959

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Micah Bennett Marion, IL 62959

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Sincerely, Michael Perino 5532 S. Kenwood Ave Chicago, IL 60637

## Fair Economy Illinois

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Sincerely, Michael Perino Chicago, IL 60637

## Fair Economy Illinois

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Sincerely, Michelle Mejia Chicago, IL 60637

## Fair Economy Illinois

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Sincerely, Min Li Naperville, IL 60564

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The proposed rules include no follow-up requirements or standards if testing shows radioactivity levels in flowback to be high. In other words, these proposed rules treat flowback the same whether it is highly radioactive or not! DNR knows that naturally occurring radioactivity material occurs in Illinois oil and gas operations. See 62 Ill. Admin. Code secs. 240.860(e)(3), 240.861(k)(1)(C). The Act calls for a "traffic light" system seismicity. It is our opinion that such a traffic light system is far more important for radioactivity and IDNR has the "Power and authority" to create one. Yet, it does not do so. At what level is intervention by the Illinois Emergency Management Administration, which bears responsibility for the Low Level Radioactivity Management Act, appropriate under an interagency memorandum? IDNR does not say. At what level of worker exposure is OSHA involvement desirable? IDNR does not say. How is radioactive scrap pipe to be kept out of the recycle metal market? Once more, IDNR remains silent. Revisions Needed: The rules must specify how flowback AND produced water will be treated if they test positive for radioactivity. The rules should also require that the requirements of the Illinois Low Level Radioactivity Waste Management Act be followed. More specifically: 1. Test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead. 2. Rely on experts and scientific studies, to create a radioactivity traffic light system with cut points for: (1) controlled management, transportation, and disposal of any water, solids, or metals that meet or exceed criterion classifying it as low level radioactive waste; (2) guidance/intervention by OSHA when safety clothing, gloves and goggles are required to reduce workplace exposure; (3) quarantines for natural gas with elevated radon levels until those levels drop to a point where the gas is safe (after transport) for retail markets; (4) rigorous labeling, management, and disposal rules for radioactive pipe and equipment; (5) the posting of easily read, prominently displayed radioactive warning signs; (6) creating clean zones for eating and storing personal goods at wells sites deemed a potential workplace hazard.

Sincerely, Natalya Glaser Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Navroz Tharani Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Nicholas Andrew Luthi Chicago, IL 60637

## Fair Economy Illinois

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Sincerely, Nick Phillips Evanston, IL 60201

## Fair Economy Illinois

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Sincerely, Nora Helfand Chicago, IL 60637

## Fair Economy Illinois

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Sincerely, Norma Claire Moruzzi Chicago, IL 60640

## Fair Economy Illinois

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Sincerely, Nour Abdelmonem Chicago, IL 60637

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## Fair Economy Illinois

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Sincerely, Padgham Larson Galena, IL 61036

## Fair Economy Illinois

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Sincerely, Paloma Delgadillo Plano, IL 75075

## Fair Economy Illinois

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Sincerely, Patti Walker RR#2 (Box42a) Karbers Ridge, IL 62955



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The proposed rules include no follow-up requirements or standards if testing shows radioactivity levels in flowback to be high. In other words, these proposed rules treat flowback the same whether it is highly radioactive or not! DNR knows that naturally occurring radioactivity material occurs in Illinois oil and gas operations. See 62 Ill. Admin. Code secs. 240.860(e)(3), 240.861(k)(1)(C). The Act calls for a "traffic light" system seismicity. It is our opinion that such a traffic light system is far more important for radioactivity and IDNR has the "Power and authority" to create one. Yet, it does not do so. At what level is intervention by the Illinois Emergency Management Administration, which bears responsibility for the Low Level Radioactivity Management Act, appropriate under an interagency memorandum? IDNR does not say. At what level of worker exposure is OSHA involvement desirable? IDNR does not say. How is radioactive scrap pipe to be kept out of the recycle metal market? Once more, IDNR remains silent. Revisions Needed: The rules must specify how flowback AND produced water will be treated if they test positive for radioactivity. The rules should also require that the requirements of the Illinois Low Level Radioactivity Waste Management Act be followed. More specifically: 1. Test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead. 2. Rely on experts and scientific studies, to create a radioactivity traffic light system with cut points for: (1) controlled management, transportation, and disposal of any water, solids, or metals that meet or exceed criterion classifying it as low level radioactive waste; (2) guidance/intervention by OSHA when safety clothing, gloves and goggles are required to reduce workplace exposure; (3) quarantines for natural gas with elevated radon levels until those levels drop to a point where the gas is safe (after transport) for retail markets; (4) rigorous labeling, management, and disposal rules for radioactive pipe and equipment; (5) the posting of easily read, prominently displayed radioactive warning signs; (6) creating clean zones for eating and storing personal goods at wells sites deemed a potential workplace hazard.

Sincerely, Paulo Nacimiento Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The proposed rules include no follow-up requirements or standards if testing shows radioactivity levels in flowback to be high. In other words, these proposed rules treat flowback the same whether it is highly radioactive or not! DNR knows that naturally occurring radioactivity material occurs in Illinois oil and gas operations. See 62 Ill. Admin. Code secs. 240.860(e)(3), 240.861(k)(1)(C). The Act calls for a "traffic light" system seismicity. It is our opinion that such a traffic light system is far more important for radioactivity and IDNR has the "Power and authority" to create one. Yet, it does not do so. At what level is intervention by the Illinois Emergency Management Administration, which bears responsibility for the Low Level Radioactivity Management Act, appropriate under an interagency memorandum? IDNR does not say. At what level of worker exposure is OSHA involvement desirable? IDNR does not say. How is radioactive scrap pipe to be kept out of the recycle metal market? Once more, IDNR remains silent. Revisions Needed: The rules must specify how flowback AND produced water will be treated if they test positive for radioactivity. The rules should also require that the requirements of the Illinois Low Level Radioactivity Waste Management Act be followed. More specifically: 1. Test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead. 2. Rely on experts and scientific studies, to create a radioactivity traffic light system with cut points for: (1) controlled management, transportation, and disposal of any water, solids, or metals that meet or exceed criterion classifying it as low level radioactive waste; (2) guidance/intervention by OSHA when safety clothing, gloves and goggles are required to reduce workplace exposure; (3) quarantines for natural gas with elevated radon levels until those levels drop to a point where the gas is safe (after transport) for retail markets; (4) rigorous labeling, management, and disposal rules for radioactive pipe and equipment; (5) the posting of easily read, prominently displayed radioactive warning signs; (6) creating clean zones for eating and storing personal goods at wells sites deemed a potential workplace hazard.

Sincerely, Peter Dompke Belleville, IL 62221

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Rachael Dompke Belleville, IL 62221

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Rachel Katz 1515 E. 54th Street, Apartment 4 Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Rachel Pinker Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Rachelle Ankney Chicago, IL 60626

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Raegan N Sheedy 426 East 450 North Rd MORRISONVILLE, IL 62546

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Ramon Valladarez Chicago, IL 60642



## Fair Economy Illinois

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Sincerely, Rebecca Foster Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Rebecca McBride Mahomet, IL 61875

## Fair Economy Illinois

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Sincerely, Rebecca Quesnell Chicago, IL 60605

## Fair Economy Illinois

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## Fair Economy Illinois

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Sincerely, Rebekah Sugarman Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Rebekah Sugarman Syosset, IL 11791

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Rebekah Sugarman Syosset, IL 11791



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The proposed rules include no follow-up requirements or standards if testing shows radioactivity levels in flowback to be high. In other words, these proposed rules treat flowback the same whether it is highly radioactive or not! DNR knows that naturally occurring radioactivity material occurs in Illinois oil and gas operations. See 62 Ill. Admin. Code secs. 240.860(e)(3), 240.861(k)(1)(C). The Act calls for a "traffic light" system seismicity. It is our opinion that such a traffic light system is far more important for radioactivity and IDNR has the "Power and authority" to create one. Yet, it does not do so. At what level is intervention by the Illinois Emergency Management Administration, which bears responsibility for the Low Level Radioactivity Management Act, appropriate under an interagency memorandum? IDNR does not say. At what level of worker exposure is OSHA involvement desirable? IDNR does not say. How is radioactive scrap pipe to be kept out of the recycle metal market? Once more, IDNR remains silent. Revisions Needed: The rules must specify how flowback AND produced water will be treated if they test positive for radioactivity. The rules should also require that the requirements of the Illinois Low Level Radioactivity Waste Management Act be followed. More specifically: 1. Test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead. 2. Rely on experts and scientific studies, to create a radioactivity traffic light system with cut points for: (1) controlled management, transportation, and disposal of any water, solids, or metals that meet or exceed criterion classifying it as low level radioactive waste; (2) guidance/intervention by OSHA when safety clothing, gloves and goggles are required to reduce workplace exposure; (3) quarantines for natural gas with elevated radon levels until those levels drop to a point where the gas is safe (after transport) for retail markets; (4) rigorous labeling, management, and disposal rules for radioactive pipe and equipment; (5) the posting of easily read, prominently displayed radioactive warning signs; (6) creating clean zones for eating and storing personal goods at wells sites deemed a potential workplace hazard.

Sincerely, Rebekah Sugarman Syosset, IL 11791

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Reed Mershon Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Robert Yancey 570 Sorento Ave Sorento, IL 62086

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Roberta Weiner Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Rohit Satishchandra Chicago, IL 60637

## Fair Economy Illinois

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Sincerely, Rohit Satishchandra Chicago, IL 60637

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Sincerely, Ron Yehoshua Chicago, IL 60637

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The proposed rules include no follow-up requirements or standards if testing shows radioactivity levels in flowback to be high. In other words, these proposed rules treat flowback the same whether it is highly radioactive or not! DNR knows that naturally occurring radioactivity material occurs in Illinois oil and gas operations. See 62 Ill. Admin. Code secs. 240.860(e)(3), 240.861(k)(1)(C). The Act calls for a "traffic light" system seismicity. It is our opinion that such a traffic light system is far more important for radioactivity and IDNR has the "Power and authority" to create one. Yet, it does not do so. At what level is intervention by the Illinois Emergency Management Administration, which bears responsibility for the Low Level Radioactivity Management Act, appropriate under an interagency memorandum? IDNR does not say. At what level of worker exposure is OSHA involvement desirable? IDNR does not say. How is radioactive scrap pipe to be kept out of the recycle metal market? Once more, IDNR remains silent. Revisions Needed: The rules must specify how flowback AND produced water will be treated if they test positive for radioactivity. The rules should also require that the requirements of the Illinois Low Level Radioactivity Waste Management Act be followed. More specifically: 1. Test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead. 2. Rely on experts and scientific studies, to create a radioactivity traffic light system with cut points for: (1) controlled management, transportation, and disposal of any water, solids, or metals that meet or exceed criterion classifying it as low level radioactive waste; (2) guidance/intervention by OSHA when safety clothing, gloves and goggles are required to reduce workplace exposure; (3) quarantines for natural gas with elevated radon levels until those levels drop to a point where the gas is safe (after transport) for retail markets; (4) rigorous labeling, management, and disposal rules for radioactive pipe and equipment; (5) the posting of easily read, prominently displayed radioactive warning signs; (6) creating clean zones for eating and storing personal goods at wells sites deemed a potential workplace hazard.

Sincerely, Ryn Grantham Grantham Chicago, IL 60605



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Sam Vexler Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Sam Vexler Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, sam zacher Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Samantha Martin Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Samantha Martin Chicago, IL 60605

## Fair Economy Illinois

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Sincerely, Sarah Kindt Chicago, IL 60607

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Sarah Kindt Chicago, IL 60607

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Sarah Quesnell Chicago, IL 60605



## Fair Economy Illinois

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Sincerely, Sarah Quesnell Chicago, IL 60605

## Fair Economy Illinois

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Sincerely, Schuyler Sanderson Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Scott Condren Chicago, IL 60608

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Sean Tyler Chicago, IL 60605

## Fair Economy Illinois

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Sincerely, Shawn Mukherji Chicago, IL 60605

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The proposed rules include no follow-up requirements or standards if testing shows radioactivity levels in flowback to be high. In other words, these proposed rules treat flowback the same whether it is highly radioactive or not! DNR knows that naturally occurring radioactivity material occurs in Illinois oil and gas operations. See 62 Ill. Admin. Code secs. 240.860(e)(3), 240.861(k)(1)(C). The Act calls for a "traffic light" system seismicity. It is our opinion that such a traffic light system is far more important for radioactivity and IDNR has the "Power and authority" to create one. Yet, it does not do so. At what level is intervention by the Illinois Emergency Management Administration, which bears responsibility for the Low Level Radioactivity Management Act, appropriate under an interagency memorandum? IDNR does not say. At what level of worker exposure is OSHA involvement desirable? IDNR does not say. How is radioactive scrap pipe to be kept out of the recycle metal market? Once more, IDNR remains silent. Revisions Needed: The rules must specify how flowback AND produced water will be treated if they test positive for radioactivity. The rules should also require that the requirements of the Illinois Low Level Radioactivity Waste Management Act be followed. More specifically: 1. Test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead. 2. Rely on experts and scientific studies, to create a radioactivity traffic light system with cut points for: (1) controlled management, transportation, and disposal of any water, solids, or metals that meet or exceed criterion classifying it as low level radioactive waste; (2) guidance/intervention by OSHA when safety clothing, gloves and goggles are required to reduce workplace exposure; (3) quarantines for natural gas with elevated radon levels until those levels drop to a point where the gas is safe (after transport) for retail markets; (4) rigorous labeling, management, and disposal rules for radioactive pipe and equipment; (5) the posting of easily read, prominently displayed radioactive warning signs; (6) creating clean zones for eating and storing personal goods at wells sites deemed a potential workplace hazard.

Sincerely, Shrabya Timinsia Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Shrabya Timinsia Chicago, IL 60637



## Fair Economy Illinois

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Sincerely, Shreya Kalva Chicago, IL 60637

## Fair Economy Illinois

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Sincerely, Shreya Kalva Chicago, IL 60637

## Fair Economy Illinois

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Sincerely, Shreya Kathuria Vernon Hills, IL 60061

## Fair Economy Illinois

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Sincerely, Sloane Moore River Forest, IL 60305

## Fair Economy Illinois

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Sincerely, sonja chan 944 w walnut st kankakee, IL 60901



## Fair Economy Illinois

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Sincerely, Sophia Johnson Chicago, IL 60605

## Fair Economy Illinois

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Sincerely, Stanley Archacki Westmont, IL 60559

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The proposed rules include no follow-up requirements or standards if testing shows radioactivity levels in flowback to be high. In other words, these proposed rules treat flowback the same whether it is highly radioactive or not! DNR knows that naturally occurring radioactivity material occurs in Illinois oil and gas operations. See 62 Ill. Admin. Code secs. 240.860(e)(3), 240.861(k)(1)(C). The Act calls for a "traffic light" system seismicity. It is our opinion that such a traffic light system is far more important for radioactivity and IDNR has the "Power and authority" to create one. Yet, it does not do so. At what level is intervention by the Illinois Emergency Management Administration, which bears responsibility for the Low Level Radioactivity Management Act, appropriate under an interagency memorandum? IDNR does not say. At what level of worker exposure is OSHA involvement desirable? IDNR does not say. How is radioactive scrap pipe to be kept out of the recycle metal market? Once more, IDNR remains silent. Revisions Needed: The rules must specify how flowback AND produced water will be treated if they test positive for radioactivity. The rules should also require that the requirements of the Illinois Low Level Radioactivity Waste Management Act be followed. More specifically: 1. Test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead. 2. Rely on experts and scientific studies, to create a radioactivity traffic light system with cut points for: (1) controlled management, transportation, and disposal of any water, solids, or metals that meet or exceed criterion classifying it as low level radioactive waste; (2) guidance/intervention by OSHA when safety clothing, gloves and goggles are required to reduce workplace exposure; (3) quarantines for natural gas with elevated radon levels until those levels drop to a point where the gas is safe (after transport) for retail markets; (4) rigorous labeling, management, and disposal rules for radioactive pipe and equipment; (5) the posting of easily read, prominently displayed radioactive warning signs; (6) creating clean zones for eating and storing personal goods at wells sites deemed a potential workplace hazard.

Sincerely, Ta Promlee Chicago, IL 60645

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Tim Dompke Collinsville, IL 62224

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Tim Dompke Collinsville, IL 62224

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Sincerely, Tori Root Naperville, IL 60564

## Fair Economy Illinois

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Sincerely, Tybee McLaughlin Chicago, IL 60605

## Fair Economy Illinois

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Sincerely, Vik Lobo Chicago, IL 60637



## Fair Economy Illinois

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Sincerely, Vincent Beltrano Chicago, IL 60615

## Fair Economy Illinois

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Sincerely, Virginia Baker Chicago, IL 60608

## Fair Economy Illinois

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Sincerely, Weili Zheng Chicago, IL 60607

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The proposed rules include no follow-up requirements or standards if testing shows radioactivity levels in flowback to be high. In other words, these proposed rules treat flowback the same whether it is highly radioactive or not! DNR knows that naturally occurring radioactivity material occurs in Illinois oil and gas operations. See 62 Ill. Admin. Code secs. 240.860(e)(3), 240.861(k)(1)(C). The Act calls for a "traffic light" system seismicity. It is our opinion that such a traffic light system is far more important for radioactivity and IDNR has the "Power and authority" to create one. Yet, it does not do so. At what level is intervention by the Illinois Emergency Management Administration, which bears responsibility for the Low Level Radioactivity Management Act, appropriate under an interagency memorandum? IDNR does not say. At what level of worker exposure is OSHA involvement desirable? IDNR does not say. How is radioactive scrap pipe to be kept out of the recycle metal market? Once more, IDNR remains silent. Revisions Needed: The rules must specify how flowback AND produced water will be treated if they test positive for radioactivity. The rules should also require that the requirements of the Illinois Low Level Radioactivity Waste Management Act be followed. More specifically: 1. Test for uranium238, radium226 and radium228 in flowback/produced water, drill cuttings, storage and reserve pit areas. Test for radium 226 and radium 228 in pipes and equipment, and radon222 at the wellhead. 2. Rely on experts and scientific studies, to create a radioactivity traffic light system with cut points for: (1) controlled management, transportation, and disposal of any water, solids, or metals that meet or exceed criterion classifying it as low level radioactive waste; (2) guidance/intervention by OSHA when safety clothing, gloves and goggles are required to reduce workplace exposure; (3) quarantines for natural gas with elevated radon levels until those levels drop to a point where the gas is safe (after transport) for retail markets; (4) rigorous labeling, management, and disposal rules for radioactive pipe and equipment; (5) the posting of easily read, prominently displayed radioactive warning signs; (6) creating clean zones for eating and storing personal goods at wells sites deemed a potential workplace hazard.

Sincerely, Westin Campo Chicago, IL 60608



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Will Fernandez Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Will Fernandez Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Will Fernandez Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, William LaBounty Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, William Thomas Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, William Thomas Chicago, IL 60637

## Fair Economy Illinois

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Sincerely, William Toole Godfrey, IL 62035

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, William Toole Godfrey, IL 62035



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Yijian Li Naperville, IL 60564

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Yvette McGivern Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Zach Taylor Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Keri Curtis Peru, IL 61354

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Problem: The limited radioactivity testing requirement in this section does not adequately protect Illinois residents from the spread of dangerous radioactive materials. The statute and the proposed rule call for the testing of flowback (and not produced water) for "naturally occurring radioactive materials". However, the term "naturally occurring" is not defined in the statute or the proposed rules; DNR could interpret the quoted term so that testing will be required only for the specific radioactive materials that are expected to be found naturally in the subsurface at the well site. Depleted uranium would not be "naturally occurring" at the well site, so it will be undetected by the proposed testing. Depleted uranium (DU) is a highly dangerous radioactive material with a half-life of 4.5 billion years. It is a waste product left over when uranium is modified to produce fissionable material for nuclear reactors and weapons. We know that at least one of the major actors in the fracking industry has incorporated Depleted Uranium into its plan for perforating the gun assembly (for use in a wellbore) in horizontal fracturing operations. (See U.S. Patent No. 2011000069, "perforating gun assembly for use in a wellbore \*\*\* wherein the secondary pressure generator is selected from the group consisting of \*\*\* depleted uranium"; assignee of patent: Halliburton Energy Services, Inc.) Note that, in this case, radioactive material would be "added" radioactive material, not "naturally occurring." Revisions Needed: In order to protect the public health and safety and to preserve the health of our environment, DNR must require specific testing for DU among other types of radioactive material in flowback and in produced water and set standards and requirements for when radioactivity is found. I am SOOOOOOOO tired of companies getting away with these practices and polluting our land and our water!! We must stop investing in a system that makes earth, and the humans who inhabit it, sick!!

Sincerely, Keri Curtis Peru, IL 61354

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing radioactivity only one time— during the early flowback stage—and only for "naturally occurring radioactive materials". The problems with this are identified below. I would like to see the following changes: -The rules must include any standards or protocols to follow if testing of flowback water shows unacceptable levels of radioactivity. -The rules must require the testing of "produced water", which is the water produced from a well in conjunction with oil or natural gas production. This is where radioactivity is most likely to show up. -The rules must require testing for added radioactive materials, like depleted uranium, which can be used in the perforation/fracturing operation. -The rules must test work areas for levels of radioactivity that would call for OSHA standards of occupational safety. Without the above specifications, cumulatively or singly, the proposed rules would allow significant risk to the public health and safety, property, aquatic life, and wildlife, in violation of section 1-75(a)(2) of the Hydraulic Fracturing Regulatory Act.

Sincerely, Amanda Woodall 4949 N. Whipple Street Chicago, IL 60625

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing radioactivity only one time— during the early flowback stage—and only for "naturally occurring radioactive materials". The problems with this are identified below. I would like to see the following changes: -The rules must include any standards or protocols to follow if testing of flowback water shows unacceptable levels of radioactivity. -The rules must require the testing of "produced water", which is the water produced from a well in conjunction with oil or natural gas production. This is where radioactivity is most likely to show up. -The rules must require testing for added radioactive materials, like depleted uranium, which can be used in the perforation/fracturing operation. -The rules must test work areas for levels of radioactivity that would call for OSHA standards of occupational safety. Without the above specifications, cumulatively or singly, the proposed rules would allow significant risk to the public health and safety, property, aquatic life, and wildlife, in violation of section 1-75(a)(2) of the Hydraulic Fracturing Regulatory Act.

Sincerely, Amanda Woodall 4949 N. Whipple Street Chicago, IL 60625

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Amanda Woodall 4949 N. Whipple Street Chicago, IL 60625



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Harry Li 2656 Boddington Lane Naperville, IL 60564

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Harry Li 2656 Boddington Lane Naperville, IL 60564

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Harry Li 2656 Boddington Lane Naperville, IL 60564

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Gus Novoa Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing radioactivity only one time— during the early flowback stage—and only for "naturally occurring radioactive materials". The problems with this are identified below. Problems:

- The proposed rules do not include any standards or protocols to follow if testing of flowback water shows unacceptable levels of radioactivity.
- The proposed rules do not require the testing of "produced water", which is the water produced from a well in conjunction with oil or natural gas production. This is where radioactivity is most likely to show up. It should be noted that while these Rules have been purported to be the strongest in the nation, PA law requires the testing of produced water at two separate intervals.
- The proposed rules do not require testing for added radioactive materials, like depleted uranium, which can be used in the perforation/fracturing operation.
- The proposed rules do not test work areas for levels of radioactivity that would call for OSHA standards of occupational safety. These deficiencies, cumulatively or singly, would pose a significant risk to the public health and safety, property, aquatic life, and wildlife, in violation of section 1-75(a) (2) of the Hydraulic Fracturing Regulatory Act.

Sincerely, Patti Walker RR#2 (Box42a) Karbers Ridge, IL 62955

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Alicia Klepfer 5121 S Kenwood Ave Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Benjamin Boyajian 5121 S Kenwood Ave Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Roberta Weiner Chicago, IL 60637



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Abby Dompke Chicago, IL 60607

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Abraham Secular Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Abraham Secular Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Aija Nemer-Aanerud Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Alen Makhmudov Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Alexandra Lynn Chicago, IL 606

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Alicia Klepfer Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Alonzo Cummins Chicago, IL 60612



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Alonzo Cummins Chicago, IL 60612

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Alonzo Cummins Chicago, IL 60612

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Amelia Dmouska Chciago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Amelia Dmouska Chciago, IL 60637

## Fair Economy Illinois

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Sincerely, Ammar Kalimullah Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing radioactivity only one time— during the early flowback stage—and only for "naturally occurring radioactive materials". The problems with this are identified below. Problems: The proposed rules do not include any standards or protocols to follow if testing of flowback water shows unacceptable levels of radioactivity. The proposed rules do not require the testing of "produced water", which is the water produced from a well in conjunction with oil or natural gas production. This is where radioactivity is most likely to show up. It should be noted that while these Rules have been purported to be the strongest in the nation, PA law requires the testing of produced water at two separate intervals. The proposed rules do not require testing for added radioactive materials, like depleted uranium, which can be used in the perforation/fracturing operation. The proposed rules do not test work areas for levels of radioactivity that would call for OSHA standards of occupational safety. Rules §245.850(d)1-E and §245.850(e) are incomplete and deficient, and these inadequacies can "constitute a serious threat"--indeed, deadly threat-- "to the public interest, safety, or welfare" of Illinois citizens" and are in violation of section 1-75(a)(2) of the Hydraulic Fracturing Regulatory Act.

Sincerely, andrew hwang Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, andrew hwang Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Angela Li Chicago, IL 60637



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Angela Li Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Anica Washington Chicago, IL 60619

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Anna Betts Chicago, IL 60607

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing radioactivity only one time— during the early flowback stage—and only for "naturally occurring radioactive materials". The problems with this are identified below. Problems: The proposed rules do not include any standards or protocols to follow if testing of flowback water shows unacceptable levels of radioactivity. The proposed rules do not require the testing of "produced water", which is the water produced from a well in conjunction with oil or natural gas production. This is where radioactivity is most likely to show up. It should be noted that while these Rules have been purported to be the strongest in the nation, PA law requires the testing of produced water at two separate intervals. The proposed rules do not require testing for added radioactive materials, like depleted uranium, which can be used in the perforation/fracturing operation. The proposed rules do not test work areas for levels of radioactivity that would call for OSHA standards of occupational safety. Rules §245.850(d)1-E and §245.850(e) are incomplete and deficient, and these inadequacies can "constitute a serious threat"--indeed, deadly threat-- "to the public interest, safety, or welfare" of Illinois citizens" and are in violation of section 1-75(a)(2) of the Hydraulic Fracturing Regulatory Act.

Sincerely, Anna Ronnen Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Anna Woolery Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Anne Pertner Pertner Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Ashely Ernst Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Ashely Ernst Chicago, IL 60605



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Ashely Ernst Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Ava Benezra Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Baylee Champion Chicago, IL 60616

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing radioactivity only one time— during the early flowback stage—and only for "naturally occurring radioactive materials". The problems with this are identified below. Problems: The proposed rules do not include any standards or protocols to follow if testing of flowback water shows unacceptable levels of radioactivity. The proposed rules do not require the testing of "produced water", which is the water produced from a well in conjunction with oil or natural gas production. This is where radioactivity is most likely to show up. It should be noted that while these Rules have been purported to be the strongest in the nation, PA law requires the testing of produced water at two separate intervals. The proposed rules do not require testing for added radioactive materials, like depleted uranium, which can be used in the perforation/fracturing operation. The proposed rules do not test work areas for levels of radioactivity that would call for OSHA standards of occupational safety. Rules §245.850(d)1-E and §245.850(e) are incomplete and deficient, and these inadequacies can "constitute a serious threat"--indeed, deadly threat-- "to the public interest, safety, or welfare" of Illinois citizens" and are in violation of section 1-75(a)(2) of the Hydraulic Fracturing Regulatory Act.

Sincerely, Benjamin Boyajian Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Benjamin Boyajian Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Benjamin Boyajian Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Benjamin Boyajian Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Benjamin Boyajian Chicago, IL 60615



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Beth Rempe Champaign, IL 61820

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Bianca Chamusco Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Bianca Chamusco Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing radioactivity only one time— during the early flowback stage—and only for "naturally occurring radioactive materials". The problems with this are identified below. Problems: The proposed rules do not include any standards or protocols to follow if testing of flowback water shows unacceptable levels of radioactivity. The proposed rules do not require the testing of "produced water", which is the water produced from a well in conjunction with oil or natural gas production. This is where radioactivity is most likely to show up. It should be noted that while these Rules have been purported to be the strongest in the nation, PA law requires the testing of produced water at two separate intervals. The proposed rules do not require testing for added radioactive materials, like depleted uranium, which can be used in the perforation/fracturing operation. The proposed rules do not test work areas for levels of radioactivity that would call for OSHA standards of occupational safety. Rules §245.850(d)1-E and §245.850(e) are incomplete and deficient, and these inadequacies can "constitute a serious threat"--indeed, deadly threat-- "to the public interest, safety, or welfare" of Illinois citizens" and are in violation of section 1-75(a)(2) of the Hydraulic Fracturing Regulatory Act.

Sincerely, Bob Venier Dixon, IL 61021

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Bonnie Krodel Westmont, IL 60559

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Bonnie Krodel Westmont, IL 60559

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Breanna Champion Chicago, IL 60616

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Breanna Champion Chicago, IL 60616



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Brian Menzel Chicago, IL 60608

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Brianna Tong 5122 S University Ave (#1) Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Bruce Anderson Rolling Meadows, IL 60008

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Bruce Anderson Rolling Meadows, IL 60008

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Bruce Ostdick Elgin, IL 60123

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Bruce Ostidick Elgin, IL 60123

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Carla Hunter Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Chris Turner Chicago, IL 60637



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing radioactivity only one time— during the early flowback stage—and only for "naturally occurring radioactive materials". The problems with this are identified below. Problems: The proposed rules do not include any standards or protocols to follow if testing of flowback water shows unacceptable levels of radioactivity. The proposed rules do not require the testing of "produced water", which is the water produced from a well in conjunction with oil or natural gas production. This is where radioactivity is most likely to show up. It should be noted that while these Rules have been purported to be the strongest in the nation, PA law requires the testing of produced water at two separate intervals. The proposed rules do not require testing for added radioactive materials, like depleted uranium, which can be used in the perforation/fracturing operation. The proposed rules do not test work areas for levels of radioactivity that would call for OSHA standards of occupational safety. These deficiencies, cumulatively or singly, would pose a significant risk to the public health and safety, property, aquatic life, and wildlife, in violation of section 1-75(a) (2) of the Hydraulic Fracturing Regulatory Act.

Sincerely, Christiane Rey 3651 N. Francisco Ave. Chicago, IL 60618

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Christina Scianna Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Christina Scianna Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Clara Kao Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Colleen Dennis Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Colleen Dennis Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Curtis Morris Chicago, IL 60607

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Daniel Ramus CHicago, IL 60625



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Daniel Ramus CHicago, IL 60625

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing radioactivity only one time— during the early flowback stage—and only for "naturally occurring radioactive materials". The problems with this are identified below. Problems: The proposed rules do not include any standards or protocols to follow if testing of flowback water shows unacceptable levels of radioactivity. The proposed rules do not require the testing of "produced water", which is the water produced from a well in conjunction with oil or natural gas production. This is where radioactivity is most likely to show up. It should be noted that while these Rules have been purported to be the strongest in the nation, PA law requires the testing of produced water at two separate intervals. The proposed rules do not require testing for added radioactive materials, like depleted uranium, which can be used in the perforation/fracturing operation. The proposed rules do not test work areas for levels of radioactivity that would call for OSHA standards of occupational safety. Rules §245.850(d)1-E and §245.850(e) are incomplete and deficient, and these inadequacies can "constitute a serious threat"--indeed, deadly threat-- "to the public interest, safety, or welfare" of Illinois citizens" and are in violation of section 1-75(a)(2) of the Hydraulic Fracturing Regulatory Act.

Sincerely, David Zask NY, IL 10128

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing radioactivity only one time— during the early flowback stage—and only for "naturally occurring radioactive materials". The problems with this are identified below. Problems: The proposed rules do not include any standards or protocols to follow if testing of flowback water shows unacceptable levels of radioactivity. The proposed rules do not require the testing of "produced water", which is the water produced from a well in conjunction with oil or natural gas production. This is where radioactivity is most likely to show up. It should be noted that while these Rules have been purported to be the strongest in the nation, PA law requires the testing of produced water at two separate intervals. The proposed rules do not require testing for added radioactive materials, like depleted uranium, which can be used in the perforation/fracturing operation. The proposed rules do not test work areas for levels of radioactivity that would call for OSHA standards of occupational safety. Rules §245.850(d)1-E and §245.850(e) are incomplete and deficient, and these inadequacies can "constitute a serious threat"--indeed, deadly threat-- "to the public interest, safety, or welfare" of Illinois citizens" and are in violation of section 1-75(a)(2) of the Hydraulic Fracturing Regulatory Act.

Sincerely, Diamond Hartwell Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing radioactivity only one time— during the early flowback stage—and only for "naturally occurring radioactive materials". The problems with this are identified below. Problems: The proposed rules do not include any standards or protocols to follow if testing of flowback water shows unacceptable levels of radioactivity. The proposed rules do not require the testing of "produced water", which is the water produced from a well in conjunction with oil or natural gas production. This is where radioactivity is most likely to show up. It should be noted that while these Rules have been purported to be the strongest in the nation, PA law requires the testing of produced water at two separate intervals. The proposed rules do not require testing for added radioactive materials, like depleted uranium, which can be used in the perforation/fracturing operation. The proposed rules do not test work areas for levels of radioactivity that would call for OSHA standards of occupational safety. These deficiencies, cumulatively or singly, would pose a significant risk to the public health and safety, property, aquatic life, and wildlife, in violation of section 1-75(a) (2) of the Hydraulic Fracturing Regulatory Act.

Sincerely, Dominic Giafagione 29 Chateau Rd Carbondale, IL 62901

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing radioactivity only one time— during the early flowback stage—and only for "naturally occurring radioactive materials". The problems with this are identified below. Problems: The proposed rules do not include any standards or protocols to follow if testing of flowback water shows unacceptable levels of radioactivity. The proposed rules do not require the testing of "produced water", which is the water produced from a well in conjunction with oil or natural gas production. This is where radioactivity is most likely to show up. It should be noted that while these Rules have been purported to be the strongest in the nation, PA law requires the testing of produced water at two separate intervals. The proposed rules do not require testing for added radioactive materials, like depleted uranium, which can be used in the perforation/fracturing operation. The proposed rules do not test work areas for levels of radioactivity that would call for OSHA standards of occupational safety. These deficiencies, cumulatively or singly, would pose a significant risk to the public health and safety, property, aquatic life, and wildlife, in violation of section 1-75(a) (2) of the Hydraulic Fracturing Regulatory Act.

Sincerely, Dominic Giafagione 29 Chateau Rd Carbondale, IL 62901

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Dominic Giafagione 29 Chateau Rd Carbondale, IL 62901

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Durango Mendoza Urbana, IL 61801

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Dylan Busser Chicago, IL 60647



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Dylan Busser Chicago, IL 60647

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing radioactivity only one time— during the early flowback stage—and only for "naturally occurring radioactive materials". The problems with this are identified below. Problems: The proposed rules do not include any standards or protocols to follow if testing of flowback water shows unacceptable levels of radioactivity. The proposed rules do not require the testing of "produced water", which is the water produced from a well in conjunction with oil or natural gas production. This is where radioactivity is most likely to show up. It should be noted that while these Rules have been purported to be the strongest in the nation, PA law requires the testing of produced water at two separate intervals. The proposed rules do not require testing for added radioactive materials, like depleted uranium, which can be used in the perforation/fracturing operation. The proposed rules do not test work areas for levels of radioactivity that would call for OSHA standards of occupational safety. Rules §245.850(d)1-E and §245.850(e) are incomplete and deficient, and these inadequacies can "constitute a serious threat"--indeed, deadly threat-- "to the public interest, safety, or welfare" of Illinois citizens" and are in violation of section 1-75(a)(2) of the Hydraulic Fracturing Regulatory Act.

Sincerely, E Zemin Champaign, IL 61821

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing radioactivity only one time— during the early flowback stage—and only for "naturally occurring radioactive materials". The problems with this are identified below. Problems: The proposed rules do not include any standards or protocols to follow if testing of flowback water shows unacceptable levels of radioactivity. The proposed rules do not require the testing of "produced water", which is the water produced from a well in conjunction with oil or natural gas production. This is where radioactivity is most likely to show up. It should be noted that while these Rules have been purported to be the strongest in the nation, PA law requires the testing of produced water at two separate intervals. The proposed rules do not require testing for added radioactive materials, like depleted uranium, which can be used in the perforation/fracturing operation. The proposed rules do not test work areas for levels of radioactivity that would call for OSHA standards of occupational safety. Rules §245.850(d)1-E and §245.850(e) are incomplete and deficient, and these inadequacies can "constitute a serious threat"--indeed, deadly threat-- "to the public interest, safety, or welfare" of Illinois citizens" and are in violation of section 1-75(a)(2) of the Hydraulic Fracturing Regulatory Act.

Sincerely, E Zemin Champaign, IL 61821

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing radioactivity only one time— during the early flowback stage—and only for "naturally occurring radioactive materials". The problems with this are identified below. Problems: The proposed rules do not include any standards or protocols to follow if testing of flowback water shows unacceptable levels of radioactivity. The proposed rules do not require the testing of "produced water", which is the water produced from a well in conjunction with oil or natural gas production. This is where radioactivity is most likely to show up. It should be noted that while these Rules have been purported to be the strongest in the nation, PA law requires the testing of produced water at two separate intervals. The proposed rules do not require testing for added radioactive materials, like depleted uranium, which can be used in the perforation/fracturing operation. The proposed rules do not test work areas for levels of radioactivity that would call for OSHA standards of occupational safety. Rules §245.850(d)1-E and §245.850(e) are incomplete and deficient, and these inadequacies can "constitute a serious threat"--indeed, deadly threat-- "to the public interest, safety, or welfare" of Illinois citizens" and are in violation of section 1-75(a)(2) of the Hydraulic Fracturing Regulatory Act.

Sincerely, Edith Villavicencio New York, IL 10003

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing radioactivity only one time— during the early flowback stage—and only for "naturally occurring radioactive materials". The problems with this are identified below. Problems: The proposed rules do not include any standards or protocols to follow if testing of flowback water shows unacceptable levels of radioactivity. The proposed rules do not require the testing of "produced water", which is the water produced from a well in conjunction with oil or natural gas production. This is where radioactivity is most likely to show up. It should be noted that while these Rules have been purported to be the strongest in the nation, PA law requires the testing of produced water at two separate intervals. The proposed rules do not require testing for added radioactive materials, like depleted uranium, which can be used in the perforation/fracturing operation. The proposed rules do not test work areas for levels of radioactivity that would call for OSHA standards of occupational safety. Rules §245.850(d)1-E and §245.850(e) are incomplete and deficient, and these inadequacies can "constitute a serious threat"--indeed, deadly threat-- "to the public interest, safety, or welfare" of Illinois citizens" and are in violation of section 1-75(a)(2) of the Hydraulic Fracturing Regulatory Act.

Sincerely, Edith Villavicencio New York, IL 10003

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing radioactivity only one time— during the early flowback stage—and only for "naturally occurring radioactive materials". The problems with this are identified below. Problems: The proposed rules do not include any standards or protocols to follow if testing of flowback water shows unacceptable levels of radioactivity. The proposed rules do not require the testing of "produced water", which is the water produced from a well in conjunction with oil or natural gas production. This is where radioactivity is most likely to show up. It should be noted that while these Rules have been purported to be the strongest in the nation, PA law requires the testing of produced water at two separate intervals. The proposed rules do not require testing for added radioactive materials, like depleted uranium, which can be used in the perforation/fracturing operation. The proposed rules do not test work areas for levels of radioactivity that would call for OSHA standards of occupational safety. Rules §245.850(d)1-E and §245.850(e) are incomplete and deficient, and these inadequacies can "constitute a serious threat"--indeed, deadly threat-- "to the public interest, safety, or welfare" of Illinois citizens" and are in violation of section 1-75(a)(2) of the Hydraulic Fracturing Regulatory Act.

Sincerely, Elias Friedman Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing radioactivity only one time— during the early flowback stage—and only for "naturally occurring radioactive materials". The problems with this are identified below. Problems: The proposed rules do not include any standards or protocols to follow if testing of flowback water shows unacceptable levels of radioactivity. The proposed rules do not require the testing of "produced water", which is the water produced from a well in conjunction with oil or natural gas production. This is where radioactivity is most likely to show up. It should be noted that while these Rules have been purported to be the strongest in the nation, PA law requires the testing of produced water at two separate intervals. The proposed rules do not require testing for added radioactive materials, like depleted uranium, which can be used in the perforation/fracturing operation. The proposed rules do not test work areas for levels of radioactivity that would call for OSHA standards of occupational safety. These deficiencies, cumulatively or singly, would pose a significant risk to the public health and safety, property, aquatic life, and wildlife, in violation of section 1-75(a) (2) of the Hydraulic Fracturing Regulatory Act.

Sincerely, Elizabeth Patula Makanda, IL 62958

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing radioactivity only one time— during the early flowback stage—and only for "naturally occurring radioactive materials". The problems with this are identified below. Problems: The proposed rules do not include any standards or protocols to follow if testing of flowback water shows unacceptable levels of radioactivity. The proposed rules do not require the testing of "produced water", which is the water produced from a well in conjunction with oil or natural gas production. This is where radioactivity is most likely to show up. It should be noted that while these Rules have been purported to be the strongest in the nation, PA law requires the testing of produced water at two separate intervals. The proposed rules do not require testing for added radioactive materials, like depleted uranium, which can be used in the perforation/fracturing operation. The proposed rules do not test work areas for levels of radioactivity that would call for OSHA standards of occupational safety. These deficiencies, cumulatively or singly, would pose a significant risk to the public health and safety, property, aquatic life, and wildlife, in violation of section 1-75(a) (2) of the Hydraulic Fracturing Regulatory Act.

Sincerely, Elizabeth Patula Makanda, IL 62958



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing radioactivity only one time— during the early flowback stage—and only for "naturally occurring radioactive materials". The problems with this are identified below. Problems: The proposed rules do not include any standards or protocols to follow if testing of flowback water shows unacceptable levels of radioactivity. The proposed rules do not require the testing of "produced water", which is the water produced from a well in conjunction with oil or natural gas production. This is where radioactivity is most likely to show up. It should be noted that while these Rules have been purported to be the strongest in the nation, PA law requires the testing of produced water at two separate intervals. The proposed rules do not require testing for added radioactive materials, like depleted uranium, which can be used in the perforation/fracturing operation. The proposed rules do not test work areas for levels of radioactivity that would call for OSHA standards of occupational safety. These deficiencies, cumulatively or singly, would pose a significant risk to the public health and safety, property, aquatic life, and wildlife, in violation of section 1-75(a) (2) of the Hydraulic Fracturing Regulatory Act.

Sincerely, Elizabeth Patula Makanda, IL 62958

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Emerson Delgado Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing radioactivity only one time— during the early flowback stage—and only for "naturally occurring radioactive materials". The problems with this are identified below. Problems: The proposed rules do not include any standards or protocols to follow if testing of flowback water shows unacceptable levels of radioactivity. The proposed rules do not require the testing of "produced water", which is the water produced from a well in conjunction with oil or natural gas production. This is where radioactivity is most likely to show up. It should be noted that while these Rules have been purported to be the strongest in the nation, PA law requires the testing of produced water at two separate intervals. The proposed rules do not require testing for added radioactive materials, like depleted uranium, which can be used in the perforation/fracturing operation. The proposed rules do not test work areas for levels of radioactivity that would call for OSHA standards of occupational safety. Rules §245.850(d)1-E and §245.850(e) are incomplete and deficient, and these inadequacies can "constitute a serious threat"--indeed, deadly threat-- "to the public interest, safety, or welfare" of Illinois citizens" and are in violation of section 1-75(a)(2) of the Hydraulic Fracturing Regulatory Act.

Sincerely, Emilio Joseph Comay del Junco Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Emilio Joseph Comay del Junco Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Emily Huang Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Florence Elgin, IL 60123

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Francis Beach Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing radioactivity only one time— during the early flowback stage—and only for "naturally occurring radioactive materials". The problems with this are identified below. Problems: The proposed rules do not include any standards or protocols to follow if testing of flowback water shows unacceptable levels of radioactivity. The proposed rules do not require the testing of "produced water", which is the water produced from a well in conjunction with oil or natural gas production. This is where radioactivity is most likely to show up. It should be noted that while these Rules have been purported to be the strongest in the nation, PA law requires the testing of produced water at two separate intervals. The proposed rules do not require testing for added radioactive materials, like depleted uranium, which can be used in the perforation/fracturing operation. The proposed rules do not test work areas for levels of radioactivity that would call for OSHA standards of occupational safety. Rules §245.850(d)1-E and §245.850(e) are incomplete and deficient, and these inadequacies can "constitute a serious threat"--indeed, deadly threat-- "to the public interest, safety, or welfare" of Illinois citizens" and are in violation of section 1-75(a)(2) of the Hydraulic Fracturing Regulatory Act.

Sincerely, Francis Beach Chicago, IL 60637



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Francis Beach Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Garrick Balk 236 Prairie Street South Elgin, IL 60177-1528

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Glen Edward Litchfield Darien, IL 60561

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Grace Pai Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Grace Pai Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Gus Novoa Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Harry Li 2656 Boddington Lane Naperville, IL 60564

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Harry Li 2656 Boddington Lane Naperville, IL 60564



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Harry Li 2656 Boddington Lane Naperville, IL 60564

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Jady YTolda chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Jan A Pietrzak 12031 S 72nd Ct Palos Heights, IL 60463

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Janet McDonnell 1322 North Vail Avenue Arlington Heights, IL 60004

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Jay Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, jd paulus wheaton, IL 60187

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Jessa Dahl Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Jessica Green Chicago, IL 60637



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Jessica Green Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Jessica Green Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Jill Paulus Wheaton, IL 60187

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Jill Paulus Wheaton, IL 60187

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Jill Paulus Wheaton, IL 60187

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, joann conrad 13 red oak lane springfield, IL 62712

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing radioactivity only one time— during the early flowback stage—and only for "naturally occurring radioactive materials". The problems with this are identified below. Problems: The proposed rules do not include any standards or protocols to follow if testing of flowback water shows unacceptable levels of radioactivity. The proposed rules do not require the testing of "produced water", which is the water produced from a well in conjunction with oil or natural gas production. This is where radioactivity is most likely to show up. It should be noted that while these Rules have been purported to be the strongest in the nation, PA law requires the testing of produced water at two separate intervals. The proposed rules do not require testing for added radioactive materials, like depleted uranium, which can be used in the perforation/fracturing operation. The proposed rules do not test work areas for levels of radioactivity that would call for OSHA standards of occupational safety. These deficiencies, cumulatively or singly, would pose a significant risk to the public health and safety, property, aquatic life, and wildlife, in violation of section 1-75(a) (2) of the Hydraulic Fracturing Regulatory Act.

Sincerely, joann conrad 13 red oak lane springfield, IL 62712

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, joann conrad 13 red oak lane springfield, IL 62712



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Joanna Stauder Belleville, IL 62220

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, John Gamino Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Johnathan Guy Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Jonny Gill Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Jorge Sanchez Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Joseph Gary New York, IL 10003

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Joseph Gary New York, IL 10003

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Julia Ogilvie 1806 Marion Court Wheaton, IL 60187



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Julia Ogilvie 1806 Marion Court Wheaton, IL 60187

## Fair Economy Illinois

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Sincerely, Kaijie Wang Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Kaijie Wang Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Karina Hendren Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Kathy Machaj Chicago, IL 60607

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Kathy Machaj Chicago, IL 60607

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Kathy Machaj Chicago, IL 60607

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Sincerely, Kathy Machaj Chicago, IL 60607

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Sincerely, Kelly Taylor Mt. Vernon, IL 62864

## Fair Economy Illinois

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Sincerely, Kelly Taylor Mt. Vernon, IL 62864

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Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Kelsey Bratanich itasca, IL 60143

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing radioactivity only one time— during the early flowback stage—and only for "naturally occurring radioactive materials". The problems with this are identified below. Problems: The proposed rules do not include any standards or protocols to follow if testing of flowback water shows unacceptable levels of radioactivity. The proposed rules do not require the testing of "produced water", which is the water produced from a well in conjunction with oil or natural gas production. This is where radioactivity is most likely to show up. It should be noted that while these Rules have been purported to be the strongest in the nation, PA law requires the testing of produced water at two separate intervals. The proposed rules do not require testing for added radioactive materials, like depleted uranium, which can be used in the perforation/fracturing operation. The proposed rules do not test work areas for levels of radioactivity that would call for OSHA standards of occupational safety. Rules §245.850(d)1-E and §245.850(e) are incomplete and deficient, and these inadequacies can "constitute a serious threat"--indeed, deadly threat-- "to the public interest, safety, or welfare" of Illinois citizens" and are in violation of section 1-75(a)(2) of the Hydraulic Fracturing Regulatory Act.

Sincerely, Kelsey Chicago, IL 60631

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing radioactivity only one time— during the early flowback stage—and only for "naturally occurring radioactive materials". The problems with this are identified below. Problems: The proposed rules do not include any standards or protocols to follow if testing of flowback water shows unacceptable levels of radioactivity. The proposed rules do not require the testing of "produced water", which is the water produced from a well in conjunction with oil or natural gas production. This is where radioactivity is most likely to show up. It should be noted that while these Rules have been purported to be the strongest in the nation, PA law requires the testing of produced water at two separate intervals. The proposed rules do not require testing for added radioactive materials, like depleted uranium, which can be used in the perforation/fracturing operation. The proposed rules do not test work areas for levels of radioactivity that would call for OSHA standards of occupational safety. Rules §245.850(d)1-E and §245.850(e) are incomplete and deficient, and these inadequacies can "constitute a serious threat"--indeed, deadly threat-- "to the public interest, safety, or welfare" of Illinois citizens" and are in violation of section 1-75(a)(2) of the Hydraulic Fracturing Regulatory Act.

Sincerely, Ken Buck Naperville, IL 60540

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Ken Buck Naperville, IL 60540



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Ken Buck Naperville, IL 60540

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Kevin Casto Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Kevin Casto Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Kevin Casto Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Kiehlor Mack Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Kiehlor Mack Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Kris Chatterjee Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Lauren San Juan Chicago, IL 60608



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Lavine Hemlani Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Lavine Hemlani Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Leilani Douglas Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Lexington Lawson Chicago, IL 60640

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Lexington Lawson Chicago, IL 60640

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Linda Green 422 East 450 North Rd MORRISONVILLE, IL 62546

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing radioactivity only one time— during the early flowback stage—and only for "naturally occurring radioactive materials". The problems with this are identified below. Problems: The proposed rules do not include any standards or protocols to follow if testing of flowback water shows unacceptable levels of radioactivity. The proposed rules do not require the testing of "produced water", which is the water produced from a well in conjunction with oil or natural gas production. This is where radioactivity is most likely to show up. It should be noted that while these Rules have been purported to be the strongest in the nation, PA law requires the testing of produced water at two separate intervals. The proposed rules do not require testing for added radioactive materials, like depleted uranium, which can be used in the perforation/fracturing operation. The proposed rules do not test work areas for levels of radioactivity that would call for OSHA standards of occupational safety. These deficiencies, cumulatively or singly, would pose a significant risk to the public health and safety, property, aquatic life, and wildlife, in violation of section 1-75(a) (2) of the Hydraulic Fracturing Regulatory Act.

Sincerely, Linda Green 422 East 450 North Rd MORRISONVILLE, IL 62546

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Lupita Carrasquillo Chicago, IL 60605



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, M Smerken Murphysboro, IL 62966

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, maayan olshan Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing radioactivity only one time— during the early flowback stage—and only for "naturally occurring radioactive materials". The problems with this are identified below. Problems: The proposed rules do not include any standards or protocols to follow if testing of flowback water shows unacceptable levels of radioactivity. The proposed rules do not require the testing of "produced water", which is the water produced from a well in conjunction with oil or natural gas production. This is where radioactivity is most likely to show up. It should be noted that while these Rules have been purported to be the strongest in the nation, PA law requires the testing of produced water at two separate intervals. The proposed rules do not require testing for added radioactive materials, like depleted uranium, which can be used in the perforation/fracturing operation. The proposed rules do not test work areas for levels of radioactivity that would call for OSHA standards of occupational safety. Rules §245.850(d)1-E and §245.850(e) are incomplete and deficient, and these inadequacies can "constitute a serious threat"--indeed, deadly threat-- "to the public interest, safety, or welfare" of Illinois citizens" and are in violation of section 1-75(a)(2) of the Hydraulic Fracturing Regulatory Act.

Sincerely, maayan olshan Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, maayan olshan Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, maayan olshan Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Marissa Godlewski Carbondale, IL 62901

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Mary Trimmer Granite City, IL 62040

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Mary Trimmer Granite City, IL 62040



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Maryann Condren Naperville, IL 60540

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Matt Chappell Tuscola, IL 61953

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Matt Chappell Tuscola, IL 61953

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Matt Chappell Tuscola, IL 61953

## Fair Economy Illinois

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Sincerely, Matthew Raigosa Chicago, IL 60608

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Micah Bennett Marion, IL 62959

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Micah Bennett Marion, IL 62959

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Michael Perino Chicago, IL 60637



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Michael Perino Chicago, IL 60637

## Fair Economy Illinois

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Sincerely, Michelle Mejia Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Michelle Mejia Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Miranda Bailey 1822 Park Ave Alton, IL 62002

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Molly Blondell Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Molly Blondell Chicago, IL 60637

## Fair Economy Illinois

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Sincerely, Nancy Eichelberger 8405 S Ridge Rd Plainfield, IL 60544

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Nancy Onderdonk 1456 W Granville Chicago, IL 60660



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Nancy Onderdonk 1456 W Granville Chicago, IL 60660

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing radioactivity only one time— during the early flowback stage—and only for "naturally occurring radioactive materials". The problems with this are identified below. Problems: The proposed rules do not include any standards or protocols to follow if testing of flowback water shows unacceptable levels of radioactivity. The proposed rules do not require the testing of "produced water", which is the water produced from a well in conjunction with oil or natural gas production. This is where radioactivity is most likely to show up. It should be noted that while these Rules have been purported to be the strongest in the nation, PA law requires the testing of produced water at two separate intervals. The proposed rules do not require testing for added radioactive materials, like depleted uranium, which can be used in the perforation/fracturing operation. The proposed rules do not test work areas for levels of radioactivity that would call for OSHA standards of occupational safety. These deficiencies, cumulatively or singly, would pose a significant risk to the public health and safety, property, aquatic life, and wildlife, in violation of section 1-75(a) (2) of the Hydraulic Fracturing Regulatory Act.

Sincerely, Nancy Onderdonk 1456 W Granville Chicago, IL 60660

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Natalya Glaser Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing radioactivity only one time— during the early flowback stage—and only for "naturally occurring radioactive materials". The problems with this are identified below. Problems: The proposed rules do not include any standards or protocols to follow if testing of flowback water shows unacceptable levels of radioactivity. The proposed rules do not require the testing of "produced water", which is the water produced from a well in conjunction with oil or natural gas production. This is where radioactivity is most likely to show up. It should be noted that while these Rules have been purported to be the strongest in the nation, PA law requires the testing of produced water at two separate intervals. The proposed rules do not require testing for added radioactive materials, like depleted uranium, which can be used in the perforation/fracturing operation. The proposed rules do not test work areas for levels of radioactivity that would call for OSHA standards of occupational safety. Rules §245.850(d)1-E and §245.850(e) are incomplete and deficient, and these inadequacies can "constitute a serious threat"--indeed, deadly threat-- "to the public interest, safety, or welfare" of Illinois citizens" and are in violation of section 1-75(a)(2) of the Hydraulic Fracturing Regulatory Act.

Sincerely, Navroz Tharani Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Navroz Tharani Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Nicholas Andrew Luthi Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Noah Hellermann New York, IL 11218

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Nora Helfand Chicago, IL 60637



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Nora Helfand Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Nora Helfand Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Nora Helfand Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Norma Claire Moruzzi Chicago, IL 60640

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Nour Abdelmonem Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing radioactivity only one time— during the early flowback stage—and only for "naturally occurring radioactive materials". The problems with this are identified below. Problems: The proposed rules do not include any standards or protocols to follow if testing of flowback water shows unacceptable levels of radioactivity. The proposed rules do not require the testing of "produced water", which is the water produced from a well in conjunction with oil or natural gas production. This is where radioactivity is most likely to show up. It should be noted that while these Rules have been purported to be the strongest in the nation, PA law requires the testing of produced water at two separate intervals. The proposed rules do not require testing for added radioactive materials, like depleted uranium, which can be used in the perforation/fracturing operation. The proposed rules do not test work areas for levels of radioactivity that would call for OSHA standards of occupational safety. Rules §245.850(d)1-E and §245.850(e) are incomplete and deficient, and these inadequacies can "constitute a serious threat"--indeed, deadly threat-- "to the public interest, safety, or welfare" of Illinois citizens" and are in violation of section 1-75(a)(2) of the Hydraulic Fracturing Regulatory Act.

Sincerely, Olivia Stovicek Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing radioactivity only one time— during the early flowback stage—and only for "naturally occurring radioactive materials". The problems with this are identified below. Problems: The proposed rules do not include any standards or protocols to follow if testing of flowback water shows unacceptable levels of radioactivity. The proposed rules do not require the testing of "produced water", which is the water produced from a well in conjunction with oil or natural gas production. This is where radioactivity is most likely to show up. It should be noted that while these Rules have been purported to be the strongest in the nation, PA law requires the testing of produced water at two separate intervals. The proposed rules do not require testing for added radioactive materials, like depleted uranium, which can be used in the perforation/fracturing operation. The proposed rules do not test work areas for levels of radioactivity that would call for OSHA standards of occupational safety. Rules §245.850(d)1-E and §245.850(e) are incomplete and deficient, and these inadequacies can "constitute a serious threat"--indeed, deadly threat-- "to the public interest, safety, or welfare" of Illinois citizens" and are in violation of section 1-75(a)(2) of the Hydraulic Fracturing Regulatory Act.

Sincerely, Paloma Delgadillo Plano, IL 75075

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Patricia Simpson Philo, IL 61864



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Patrick Dexter Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Paul Kim Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Paulo Nacimiento Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Preethi Sekhar Naperville, IL 60564

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Preethi Sekhar Naperville, IL 60564

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Rachel Baker Chicago, IL 60625

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing radioactivity only one time— during the early flowback stage—and only for "naturally occurring radioactive materials". The problems with this are identified below. Problems: The proposed rules do not include any standards or protocols to follow if testing of flowback water shows unacceptable levels of radioactivity. The proposed rules do not require the testing of "produced water", which is the water produced from a well in conjunction with oil or natural gas production. This is where radioactivity is most likely to show up. It should be noted that while these Rules have been purported to be the strongest in the nation, PA law requires the testing of produced water at two separate intervals. The proposed rules do not require testing for added radioactive materials, like depleted uranium, which can be used in the perforation/fracturing operation. The proposed rules do not test work areas for levels of radioactivity that would call for OSHA standards of occupational safety. Rules §245.850(d)1-E and §245.850(e) are incomplete and deficient, and these inadequacies can "constitute a serious threat"--indeed, deadly threat-- "to the public interest, safety, or welfare" of Illinois citizens" and are in violation of section 1-75(a)(2) of the Hydraulic Fracturing Regulatory Act.

Sincerely, Rachel Baker Chicago, IL 60625

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing radioactivity only one time— during the early flowback stage—and only for "naturally occurring radioactive materials". The problems with this are identified below. Problems: The proposed rules do not include any standards or protocols to follow if testing of flowback water shows unacceptable levels of radioactivity. The proposed rules do not require the testing of "produced water", which is the water produced from a well in conjunction with oil or natural gas production. This is where radioactivity is most likely to show up. It should be noted that while these Rules have been purported to be the strongest in the nation, PA law requires the testing of produced water at two separate intervals. The proposed rules do not require testing for added radioactive materials, like depleted uranium, which can be used in the perforation/fracturing operation. The proposed rules do not test work areas for levels of radioactivity that would call for OSHA standards of occupational safety. Rules §245.850(d)1-E and §245.850(e) are incomplete and deficient, and these inadequacies can "constitute a serious threat"--indeed, deadly threat-- "to the public interest, safety, or welfare" of Illinois citizens" and are in violation of section 1-75(a)(2) of the Hydraulic Fracturing Regulatory Act.

Sincerely, Rachel Baker Chicago, IL 60625



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Rachel Baker Chicago, IL 60625

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Raj Kapoor Oak Park, IL 60302

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Raj Kapoor Oak Park, IL 60302

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Rebecca Foster Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Rebekah Sugarman Syosset, IL 11791

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Rebekah Sugarman Syosset, IL 11791

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Reed Mershon Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Richard Fedder Carbondale, IL 62901



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Richard Fedder Carbondale, IL 62901

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Roberta Weiner Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Roberta Weiner Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Roderick Luke Chan Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Roderick Luke Chan Chicago, IL 60615

## Fair Economy Illinois

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Sincerely, Roderick Luke Chan Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Ryan Pilcher 1531 N. Talman Ave #1 Chicago, IL 60622

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Samantha Martin Chicago, IL 60605



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Sara Buck Chicago, IL 60640

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Sarah Kindt Chicago, IL 60607

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Schuyler Sanderson Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing radioactivity only one time— during the early flowback stage—and only for "naturally occurring radioactive materials". The problems with this are identified below. Problems: The proposed rules do not include any standards or protocols to follow if testing of flowback water shows unacceptable levels of radioactivity. The proposed rules do not require the testing of "produced water", which is the water produced from a well in conjunction with oil or natural gas production. This is where radioactivity is most likely to show up. It should be noted that while these Rules have been purported to be the strongest in the nation, PA law requires the testing of produced water at two separate intervals. The proposed rules do not require testing for added radioactive materials, like depleted uranium, which can be used in the perforation/fracturing operation. The proposed rules do not test work areas for levels of radioactivity that would call for OSHA standards of occupational safety. Rules §245.850(d)1-E and §245.850(e) are incomplete and deficient, and these inadequacies can "constitute a serious threat"--indeed, deadly threat-- "to the public interest, safety, or welfare" of Illinois citizens" and are in violation of section 1-75(a)(2) of the Hydraulic Fracturing Regulatory Act.

Sincerely, Scott Condren Chicago, IL 60608

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing radioactivity only one time— during the early flowback stage—and only for "naturally occurring radioactive materials". The problems with this are identified below. Problems: The proposed rules do not include any standards or protocols to follow if testing of flowback water shows unacceptable levels of radioactivity. The proposed rules do not require the testing of "produced water", which is the water produced from a well in conjunction with oil or natural gas production. This is where radioactivity is most likely to show up. It should be noted that while these Rules have been purported to be the strongest in the nation, PA law requires the testing of produced water at two separate intervals. The proposed rules do not require testing for added radioactive materials, like depleted uranium, which can be used in the perforation/fracturing operation. The proposed rules do not test work areas for levels of radioactivity that would call for OSHA standards of occupational safety. Rules §245.850(d)1-E and §245.850(e) are incomplete and deficient, and these inadequacies can "constitute a serious threat"--indeed, deadly threat-- "to the public interest, safety, or welfare" of Illinois citizens" and are in violation of section 1-75(a)(2) of the Hydraulic Fracturing Regulatory Act.

Sincerely, Scott Condren Chicago, IL 60608

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Scott Condren Chicago, IL 60608

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Shaden Amara Naperville, IL 60564

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Shaden Amara Naperville, IL 60564



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Shaden Amara Naperville, IL 60564

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Shawn Mukherji Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Shrabya Timinsia Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Shreya Kalva Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Shreya Kalva Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Sloane Moore River Forest, IL 60305

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Sophia Johnson Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Sophia Johnson Chicago, IL 60605



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Stanley Archacki Westmont, IL 60559

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Susan Leibowitz 732 W. Schubert Ave. Chicago, IL 60614

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Sylvia Glauster 1327 E 52nd St #302 Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Sylvia Glauster 1327 E 52nd St #302 Chicago, IL 60615

## Fair Economy Illinois

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Sincerely, Ta Promlee Chicago, IL 60645

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Ta Promlee Chicago, IL 60645

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Tim Brooks Chicago, IL 60652

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Tim Dompke Collinsville, IL 62224



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Tyler Hansen Oak Park, IL 60304

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing radioactivity only one time— during the early flowback stage—and only for "naturally occurring radioactive materials". The problems with this are identified below. Problems: The proposed rules do not include any standards or protocols to follow if testing of flowback water shows unacceptable levels of radioactivity. The proposed rules do not require the testing of "produced water", which is the water produced from a well in conjunction with oil or natural gas production. This is where radioactivity is most likely to show up. It should be noted that while these Rules have been purported to be the strongest in the nation, PA law requires the testing of produced water at two separate intervals. The proposed rules do not require testing for added radioactive materials, like depleted uranium, which can be used in the perforation/fracturing operation. The proposed rules do not test work areas for levels of radioactivity that would call for OSHA standards of occupational safety. Rules §245.850(d)1-E and §245.850(e) are incomplete and deficient, and these inadequacies can "constitute a serious threat"--indeed, deadly threat-- "to the public interest, safety, or welfare" of Illinois citizens" and are in violation of section 1-75(a)(2) of the Hydraulic Fracturing Regulatory Act.

Sincerely, Vadim Tanyoin Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Vincent Beltrano Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Virginia Baker Chicago, IL 60608

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Westin Campo chicago, IL 60608

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Westin Campo Chicago, IL 60608

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, William LaBounty Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, William LaBounty Chicago, IL 60615



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, William LaBounty Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, William Thomas Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, William Thomas Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, William Toole Godfrey, IL 62035

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, William Toole Godfrey, IL 62035

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Yijian Li Naperville, IL 60564

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Yijian Li Naperville, IL 60564

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Yijian Li Naperville, IL 60564



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Zach Taylor Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Matt Steffen Lake Zurich, IL 60047

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

The last thing we need is a bunch of radioactive, highly toxic "produced" water sitting around in open pits.

Sincerely, Keren Genet Elizabethtown, IL 62931

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

The Oil and Gas Act needs to be changed before fracking begins. Forced pooling is eminent domain for corporate gain. What do you intend to do to save people in the path of fracking who don't want to lease their land?

Sincerely, Annette McMichael 1174 Karen Dr. Monticello, IL 61856

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

The proposed rules do not include any standards or protocols to follow if testing of flowback water shows unacceptable levels of radioactivity.

Sincerely, Gerson omar Ramirez 4414 N christiana Chicago, IL 60625

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Gerson omar Ramirez 4414 N christiana Chicago, IL 60625

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

The rules concerning radioactivity in the overall fracking process need close review and adherence to ALARA principles.

Sincerely, M Alan Wurth Red Bud, IL 62278

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, M Alan Wurth Red Bud, IL 62278



## Fair Economy Illinois

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## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

This comment relates to 245.850. This section should specify what will happen if flowback and produced water show high levels of radioactivity. The fracking operator should be required to treat this type of water differently than water that does not show high levels of radioactivity.

Sincerely, Eileen Sutter 4125 North Monticello Chicago, IL 60618

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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Sincerely, Eileen Sutter 4125 North Monticello Chicago, IL 60618

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

This issue is so loaded with potential disasters, it needs to be carefully evaluated by specialists without interest in the results.

Sincerely, Karen Peterson 735 York Ct Northbrook, IL 60062

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, Treesong 2030 S Illinois Ave #9 Carbondale, IL 62903

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

To the Illinois Department of Natural Resources, In this comment I am addressing just one loophole that is found in your insufficiently put together rules and regulations drafted for hydraulic fracturing here in Illinois. The loophole I am referring to in this comment is with regards to open air pits onsite. Within the proposed rules, Section 1-75 instructs that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But then, however, Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” I don’t know about you, but these seems like a huge loophole to me! In the end, the amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. These companies can merely miscalculate the amount of flowback continually and, thus, repeatedly store flowback/wastewater in open air pits onsite for up to seven days. This is a viable action for operators wanting to cut costs considering storage in closed tanks (versus open air pits) can be quite costly for the industry. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. The regulations also fail to require prompt removal of the fracking flowback stored in these open air pits. In Subsection 245.850(c) it is stated that the overflow can remain in these reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” In some instances, hydraulic fracturing operations can continue on for more than a month which means that this flowback fluid can be left sitting in this ‘reserve pit’ for exactly that long. This truly creates a higher possibility of risk for the environment! Leaving it in there that long is increasing the chance that something will happen as a result whether that be runoff from the pit into nearby surface water as a result of heavy rainfall/ flood(s), or tearing of the pit liner resulting in the fracking fluids leaking into the ground and potentially into people’s groundwater drinking supply I understand that this rule is geared towards emergencies only, and that these fracking companies must otherwise store the flowback water in storage tanks onsite. However, even you must be able to see that you have created a huge loophole for fracking companies looking to cut costs. That loophole is very apparent, even to me. With your level of education, plus the fact that you have helped draft these rules and regulations, this loophole surely must be shouting out at you. In order to help improve these drafted rules and regulations, I demand that you improve what I have just discussed. One way to go above making this one improvement would be to: First, require that drillers anticipate

## Fair Economy Illinois

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appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law Thank you for your time in reading this, and I hope that you can omit this loophole that threatens the environment and only adds to fracking corporations' profits.

Sincerely, Rebecca Quesnell 3 Talisman Trace Galena, IL 61036



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

We are dealing with the improper disposal of radioactive waste in the St. Louis area now. Illinois must strictly develop rules which will protect the citizens from areas which become contaminated with long life radioactive materials.

Sincerely, M Alan Wurth Red Bud, IL 62278

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

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## Fair Economy Illinois

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Sincerely, M Alan Wurth Red Bud, IL 62278

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

We need more public hearings. I cannot believe you have scheduled the hearings so close to Christmas. You are not being fair to those of us who want our voices to be heard. We need more hearings. Do you intend to schedule hearings again after you've redone the rules and they are submitted to the public again?

Sincerely, Annette McMichael 1174 Karen Dr. Monticello, IL 61856

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Working in mining and energy jobs can be very dangerous and I respect the people who put a lot of sweat into their work. However, just because a job is hard work does not mean that it should be dangerous, especially when such dangers can be prevented if companies were not so stingy and willing to put more money into testing the radioactivity and also because the fines for putting lives at risk is a measly 2000 dollars, less than fines for violations that regular citizens make, that DO NOT put lives into danger. It really bothers me that there are such poor testing standards for radioactivity in water that affect THE VERY PEOPLE WORKING FOR THE COMPANIES. Don't you want your workers to not get sick and possible die? Isn't this common human decency? Comment/Problem(s)/Needed Revisions: Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for "naturally occurring radioactive materials." Notably absent from these proposed rules is a requirement for the testing of "produced water", the fluid that returns from the well during the later stage of production (after flowback). Under the proposed rules, "produced water" can be stored on site and/or can be "recycled", yet there is no testing requirement. Naturally occurring radioactive material (NORM) is found in "produced water" also. See Technologically enhanced naturally occurring radioactive materials in the oil industry (TENORM), Nukleonika 2009; 54(1):3-9, and sources cited therein, especially for TENORM in produced water in the U.S., available at [http://www.nukleonika.pl/www/back/full/vol54\\_2009/v54n1p003f.pdf](http://www.nukleonika.pl/www/back/full/vol54_2009/v54n1p003f.pdf). See also NORM is also found on scale in oil pipes and on fracking equipment. (See Kentucky Resources Council Proposes Comprehensive Plan For Investigating Radiological Contamination In Martha Oil Field. August 11, 2005. <http://www.kyrc.org/webnewspro/112381723236086.shtml>.) IDNR's definitions of "flowback water" and "produced water" are different. The two are distinguishably different enough that they are treated as separate types of fluid by both the Hydraulic Fracturing Regulatory Act and by the DNR Rules. Discharge of produced water onto the ground or into surface water or water drainage way is prohibited but it is not tested for radioactivity. This despite the fact that this fluid will be in contact with the naturally occurring radioactive elements in the ground for a longer period than the flowback and that it is much more likely to be radioactive. Problems: Failure to test produced water for radioactivity is problematic for a variety of reasons including: The health and safety of workers on the site who will be unaware of the levels of radioactivity they are being exposed to. The health and safety of workers transporting produced water who will also be in the dark regarding the levels of radioactivity they will be exposed to. The risk of storing radioactive material in tanks not created for storing radioactive materials. The risk of "recycling" produced water—radioactivity cannot be removed by recycling. The risk to the public in transporting radioactive materials Argonne National Laboratory recently cautioned about radiological doses: "It is commonly accepted that efforts should be undertaken at all times to keep radiological doses 'as low as reasonably achievable,' which is referred to as the ALARA principle or requirement." Overview of Radiological Dose and Risk Assessment (April 2011). DNR is failing to even

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adequately test for radioactivity and therefore, will not know the levels of radioactivity. How, then, can DNR adequately protect workers and the general public? Revisions needed: At a bare minimum, the rules should require that “produced water” be tested at two separate intervals across time for radioactivity. This is already required in Pennsylvania. The rules should also require that the requirements of the Illinois Low Level Radioactivity Waste Management Act be followed.

Sincerely, Harry Li 2656 Boddington Lane Naperville, IL 60564

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Your insufficient and unjust regulations for fracking are difficult to comprehend. With so many alternatives available, there stands no reason as to why the use of fracking should be allowed or even considered within the United States. The number of side effects outweigh any possible benefits besides capital gain for some corporate asshole. IDNR should be ashamed and saddened by allowing these regulations to be passed through their system. I for one feel we need to adopt an energy plan comparable to Germany; proposing to become more self-sufficient every decade with an estimated %50 of energy coming from renewable sources by 2050. IDNR and other lobbyists should think twice of their decisions and its' affects upon the wonderful people of this state. I hope the bonus you received for signing these regulations adds up to a life full of false happiness and depression.

Sincerely, Henry Brennan Allsworth Chicago, IL 60651

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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## Fair Economy Illinois

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Sincerely, Henry Brennan Allsworth Chicago, IL 60651

## Fair Economy Illinois

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Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Comment/Problem(s)/Needed Revisions: Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for naturally occurring radioactive materials." Notably absent from these proposed rules is a requirement for the testing of produced water, the fluid that returns from the well during the later stage of production (after flowback). Under the proposed rules, produced water can be stored on site and/or can be recycled, yet there is no testing requirement. Naturally occurring radioactive material (NORM) is found in produced water also. See Technologically enhanced naturally occurring radioactive materials in the oil industry (TENORM), Nukleonika 2009; 54(1):3-9, and sources cited therein, especially for TENORM in produced water in the U.S., available at [http://www.nukleonika.pl/www/back/full/vol54\\_2009/v54n1p003f.pdf](http://www.nukleonika.pl/www/back/full/vol54_2009/v54n1p003f.pdf). See also NORM is also found on scale in oil pipes and on fracking equipment. (See Kentucky Resources Council Proposes Comprehensive Plan For Investigating Radiological Contamination In Martha Oil Field. August 11, 2005. <http://www.kyrc.org/webnewspro/112381723236086.shtml>.) IDNR's definitions of "flowback water" and "produced water" are different. The two are distinguishably different enough that they are treated as separate types of fluid by both the Hydraulic Fracturing Regulatory Act and by the DNR Rules. Discharge of produced water onto the ground or into surface water or water drainage way is prohibited but it is not tested for radioactivity. This despite the fact that this fluid will be in contact with the naturally occurring radioactive elements in the ground for a longer period that the flowback and that it is much more likely to be radioactive. Problems: Failure to test produced water for radioactivity is problematic for a variety of reasons including: The health and safety of workers on the site who will be unaware of the levels of radioactivity they are being exposed to. The health and safety of workers transporting produced water who will also be in the dark regarding the levels of radioactivity they will be exposed to. The risk of storing radioactive material in tanks not created for storing radioactive materials. The risk of recycling produced water—radioactivity cannot be removed by recycling. The risk to the public in transporting radioactive materials Argonne National Laboratory recently cautioned about radiological doses: It is commonly accepted that efforts should be undertaken at all times to keep radiological doses 'as low as reasonably achievable,' which is referred to as the ALARA principle or requirement. Overview of Radiological Dose and Risk Assessment (April 2011). DNR is failing to even adequately test for radioactivity and therefore, will not know the levels of radioactivity. How, then, can DNR adequately protect workers and the general public? Revisions needed: At a bare minimum, the rules should require that "produced water" be tested at two separate intervals across time for radioactivity. This is already required in Pennsylvania. The rules should also require that the requirements of the Illinois Low Level Radioactivity Waste Management Act be followed.

Sincerely, B. E. Murphy 458 Tahoe Park Forest, IL 60466

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, B. E. Murphy 458 Tahoe Park Forest, IL 60466

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Section 1-75 of the Hydraulic Fracturing Regulator Act mandates that “excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in paragraph (2) of this subsection must be removed from the well site within 7 days.” But Section 245.850 of the proposed rules states, “Any excess hydraulic fracturing flowback captured for temporary storage in a reserve pit as provided in Section 245.825 must be removed from the well site or transferred to storage in above-ground tanks for later disposal or recycling within 7 days after completion of high volume horizontal hydraulic fracturing operations.” Problem: The amendment of “after completion of high volume horizontal hydraulic fracturing operations” opens the door for the potential abuse of emergency pits. Storage in closed tanks can be costly for the industry. An unscrupulous operator wanting to cut costs could simply claim that there was more flowback than expected and end up using open pits for storage for the duration of the fracking process. The clear intent of the statute is to ensure that wastewater is stored in tanks except in the emergency event of an unforeseeable overflow, in which case it is preferable that the overflow go to a pit than simply spill on the ground. But in such event, the overflow is expressly required in the statute to be removed within a week. Through omission and misinterpretation, the regulations are not implementing this statutory directive. Section 245.210(a)(11), requires that an applicant submit a Hydraulic Fracturing Fluids and Flowback Plan. The plan does not include requirements to ensure that tank capacity is accurately calculated. Without such method, there is nothing in the regulations to prevent operators from underestimating the size of the tanks they need, so as to make routine use of the reserve pit for the resulting overflows. Operators presumably have an economic incentive to do so in order to hold down the cost of tank storage. Compounding this incentive is the Department’s weakening of the statutory directive that fluids deposited in a reserve pit be removed within 7 days (Section 1-75(c)(5)). The regulations fail to require such prompt removal, allowing, at subsection 245.850(c), the overflow to remain in the reserve pits until 7 days “after completion of high volume horizontal hydraulic fracturing operations.” Certainly on a multi-well pad, hydraulic fracturing operations can continue for a month or more, meaning that the flowback fluid could be left sitting in the reserve pit, creating environmental risk, for much longer than a week. Revisions needed: First, require that drillers anticipate appropriate sized tanks for sufficient storage of flowback and produced water by establishing a method for tank capacity calculation. Second, clarify that wastewater must be removed from the pit within 7 days of the event that triggered the use of the pit rather than 7 days after fracking operations are complete, in accordance with the law.

Sincerely, B. E. Murphy 458 Tahoe Park Forest, IL 60466

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

Subsection (d)(1) of Section 245.850 provides for testing of fracking fluids only one time--during the early flowback stage--and only for naturally occurring radioactive materials." Problem: The proposed rules include no follow-up requirements or standards if testing shows radioactivity levels in flowback to be high. In other words, these proposed rules treat flowback the same whether it is highly radioactive or not! DNR knows that naturally occurring radioactivity material occurs in Illinois oil and gas operations. See 62 Ill. Admin. Code secs. 240.860(e)(3), 240.861(k)(1)(C). Revisions Needed: The rules must specify how flowback AND produced water will be treated if they test positive for radioactivity. The rules should also require that the requirements of the Illinois Low Level Radioactivity Waste Management Act be followed.

Sincerely, B. E. Murphy 458 Tahoe Park Forest, IL 60466

## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 Hydraulic Fracturing Fluid & HF Flowback Storage, Disposal or Recycling, Trans & Reporting Req.

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Sincerely, B. E. Murphy 458 Tahoe Park Forest, IL 60466



## Fair Economy Illinois

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In reference to Subpart H: High Volume Horizontal Hydraulic Fracturing Preparations and Operations

Section 245.850 should be modified to state that excess flowback and produced water stored in open pit must be removed within 7 days of the time when pit storage began. This is clearly the intent of section 1-75 of the Hydraulic Fracturing Regulatory Act.

Sincerely, Eileen Sutter 4125 North Monticello Chicago, IL 60618

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

Section 245.900 Managing Natural Gas and Hydrocarbon Fluids During Production According to wikipedia: Hydraulic fracturing is the fracturing of rock by a pressurized liquid. Some hydraulic fractures form naturally—certain veins or dikes are examples. Induced hydraulic fracturing or hydrofracturing, commonly known as fracking, is a technique in which typically water is mixed with sand and chemicals, and the mixture is injected at high pressure into a wellbore to create small fractures (typically less than 1mm), along which fluids such as gas, petroleum, uranium-bearing solution,[1] and brine water may migrate to the well. Hydraulic pressure is removed from the well, then small grains of proppant (sand or aluminium oxide) hold these fractures open once the rock achieves equilibrium. The technique is very common in wells for shale gas, tight gas, tight oil, and coal seam gas[2][3] and hard rock wells. This well stimulation is usually conducted once in the life of the well and greatly enhances fluid removal and well productivity, but there has been an increasing trend towards multiple hydraulic fracturing as production declines. A different technique where only acid is injected is referred to as acidizing. The first experimental use of hydraulic fracturing was in 1947, and the first commercially successful applications were in 1949. George P. Mitchell is considered by some the modern father of fracking when he successfully applied it to the Barnett Shale in the 1990s.[4] As of 2010, it was estimated that 60% of all new oil and gas wells worldwide were being hydraulically fractured.[5] As of 2012, 2.5 million hydraulic fracturing jobs have been performed on oil and gas wells worldwide, more than one million of them in the United States.[6][7] Uranium Energy Corporation is planning to use hydraulic fracturing to mine uranium. Fracking for uranium involves injecting oxygenated water (to increase solubility) to dissolve the uranium, then pumping the solution back up to the surface.[1] Halliburton Frack Job in the Bakken Formation, North Dakota, United States Proponents of hydraulic fracturing point to the economic benefits from the vast amounts of formerly inaccessible hydrocarbons the process can extract.[8] Opponents point to potential environmental impacts, including contamination of ground water, depletion of fresh water, risks to air quality, noise pollution, the migration of gases and hydraulic fracturing chemicals to the surface, surface contamination from spills and flow-back, and the health effects of these.[9] For these reasons hydraulic fracturing has come under international scrutiny, with some countries suspending or banning it.[10][11] However, some of those countries, including most notably the United Kingdom,[12] have recently lifted their bans, choosing to focus on regulations instead of outright prohibition. The 2013 draft EU-Canada trade treaty includes language outlawing any breach of legitimate expectations of investors which may occur if revoking drilling licences of Canadaregistered companies in the territory of the European Union after the treaty comes into force.[13] Under Chapter 11 of the existing North American Free Trade Agreement, private companies can sue governments when new laws reduce expected profits from existing contracts.[14]. And therefore, I disagree with this coming to Illinois.

Sincerely, David Klawitter 718 W. Rochford Street (D910) Chicago, IL 60607

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

Section 245.900 Managing Natural Gas and Hydrocarbon Fluids During Production Dear IDNR, Section 1-53 of the regulatory bill states that fracking can be operated in a manner that will protect the public health and safety and prevent pollution.” THIS IS NOT POSSIBLE. Fracking is inherently a harmful process and laying these weak guidelines will not stop it from being so. The only way for fracking to be operated in a way that does not harm the public and the environment is to not frack at all. Volatile Organic Compound (VOC) Emissions which are a direct result of fracking no matter what method is used are harmful to the people of this earth and the earth itself. VOC emissions can cause irreversible neurological and respiratory damage to children, adults, and other living creatures. Do not poison us, VOCs have caused problems such as asthma and cancer, such is the case in Colorado where numbers of these diseases have spikes since fracking began there. The current rules concerning VOCs in the Illinois legislation are nonexistent. This is a careless and thoughtless problem that must be addressed. Actually the Rules and regulations right now do the exact opposite of protecting us from VOCs, Sec 245.900e of the Rules allow companies to be wholly exempt from the regulation of runaway natural gas and hydrocarbon fluids if the regulation isn't “cost effective” or if it is “economically unreasonable.” How is this okay? How can YOU exempt a company from a regulation like this? How is that fair to the people of this state? How is this fair to the environment you are supposed to be protecting. IT IS NOT. The IDNR does not define what cost effective and economically unreasonable mean therefore letting companies to define these parts of the legislation for themselves. The IDNR must do scientific studies on the cost of various kinds of emissions, including health and environmental costs of emissions. Fracking in Illinois must be conducted in a manner that will protect public health and safety and prevent pollution if it is going to happen at all.

Sincerely, Kurt Witteman 425 S Wabash Ave WBRH 463 Chicago, IL 60605

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Shawn Mukherji 491 Vaughn Cir Aurora, IL 60502

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

Section 245.900 Managing Natural Gas and Hydrocarbon Fluids During Production Dear IDNR, Section 1-53 of the regulatory bill states that fracking can be operated in a manner that will protect the public health and safety and prevent pollution.” THIS IS NOT POSSIBLE. Fracking is inherently a harmful process and laying these weak guidelines will not stop it from being so. The only way for fracking to be operated in a way that does not harm the public and the environment is to not frack at all. Volatile Organic Compound (VOC) Emissions which are a direct result of fracking no matter what method is used are harmful to the people of this earth and the earth itself. VOC emissions can cause irreversible neurological and respiratory damage to children, adults, and other living creatures. Do not poison us, VOCs have caused problems such as asthma and cancer, such is the case in Colorado where numbers of these diseases have spikes since fracking began there. The current rules concerning VOCs in the Illinois legislation are nonexistent. This is a careless and thoughtless problem that must be addressed. Actually the Rules and regulations right now do the exact opposite of protecting us from VOCs, Sec 245.900e of the Rules allow companies to be wholly exempt from the regulation of runaway natural gas and hydrocarbon fluids if the regulation isn’t “cost effective” or if it is “economically unreasonable.” How is this okay? How can YOU exempt a company from a regulation like this? How is that fair to the people of this state? How is this fair to the environment you are supposed to be protecting. IT IS NOT. The IDNR does not define what cost effective and economically unreasonable mean therefore letting companies to define these parts of the legislation for themselves. The IDNR must do scientific studies on the cost of various kinds of emissions, including health and environmental costs of emissions. Fracking in Illinois must be conducted in a manner that will protect public health and safety and prevent pollution if it is going to happen at all.

Sincerely, Shawn Mukherji 491 Vaughn Cir Aurora, IL 60502

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

Section 245.900 Managing Natural Gas and Hydrocarbon Fluids During Production Dear IDNR, Section 1-53 of the regulatory bill states that fracking can be operated in a manner that will protect the public health and safety and prevent pollution.” THIS IS NOT POSSIBLE. Fracking is inherently a harmful process and laying these weak guidelines will not stop it from being so. The only way for fracking to be operated in a way that does not harm the public and the environment is to not frack at all. Volatile Organic Compound (VOC) Emissions which are a direct result of fracking no matter what method is used are harmful to the people of this earth and the earth itself. VOC emissions can cause irreversible neurological and respiratory damage to children, adults, and other living creatures. Do not poison us, VOCs have caused problems such as asthma and cancer, such is the case in Colorado where numbers of these diseases have spikes since fracking began there. The current rules concerning VOCs in the Illinois legislation are nonexistent. This is a careless and thoughtless problem that must be addressed. Actually the Rules and regulations right now do the exact opposite of protecting us from VOCs, Sec 245.900e of the Rules allow companies to be wholly exempt from the regulation of runaway natural gas and hydrocarbon fluids if the regulation isn't “cost effective” or if it is “economically unreasonable.” How is this okay? How can YOU exempt a company from a regulation like this? How is that fair to the people of this state? How is this fair to the environment you are supposed to be protecting. IT IS NOT. The IDNR does not define what cost effective and economically unreasonable mean therefore letting companies to define these parts of the legislation for themselves. The IDNR must do scientific studies on the cost of various kinds of emissions, including health and environmental costs of emissions. Fracking in Illinois must be conducted in a manner that will protect public health and safety and prevent pollution if it is going to happen at all.

Sincerely, Shawn Mukherji 491 Vaughn Cir Aurora, IL 60502

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

Section 245.900 Managing Natural Gas and Hydrocarbon Fluids During Production I suppose this is a good idea for Coke & Pepsi. Bottle water will be a necessity.

Sincerely, David Klawitter 718 W. Rochford Street (D910) Chicago, IL 60607

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

Section 245.900 Managing Natural Gas and Hydrocarbon Fluids During Production Obviously the chemicals are harmful, and I don't want to spend the time cleaning them up.

Sincerely, David Klawitter 718 W. Rochford Street (D910) Chicago, IL 60607



## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Stephanie Bilenko LaGrange Park, IL 60526

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Adriana Caballero Oak Park, IL 60302

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Aija Nemer-Aanerud Chicago, IL 60615

## Fair Economy Illinois

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Sincerely, Alen Makhmudov Chicago, IL 60637

## Fair Economy Illinois

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Sincerely, Alexandra Lynn Chicago, IL 606

## Fair Economy Illinois

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Sincerely, Alonzo Cummins Chicago, IL 60612

## Fair Economy Illinois

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Sincerely, Alyssa Carabez Carabez Brookfield, IL 60573

## Fair Economy Illinois

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Sincerely, andrew hwang Chicago, IL 60615

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Sincerely, Andrew Sigman Chicago, IL 60651

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Anica Washington Chicago, IL 60619



## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Ashely Ernst Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Ashish Kathuria Vernon Hills, IL 60601

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Ashley Seymour Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Ashley Seymour Chicago, IL 60615

## Fair Economy Illinois

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Sincerely, Bing Li Chicago, IL 60608

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Bob Venier Dixon, IL 61021

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Brandi Madrid Chicago, IL 60640

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Brandi Madrid Chicago, IL 60640



## Fair Economy Illinois

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## Fair Economy Illinois

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Sincerely, Breanna Champion Chicago, IL 60616

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Breanna Champion Chicago, IL 60616

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Sincerely, Brent Ritzel 810 N. Springer St. Carbondale, IL 62901

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Bruce Anderson Rolling Meadows, IL 60008

## Fair Economy Illinois

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Sincerely, Camil Machaj Lemont, IL 60439

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

Section 245.900 Managing Natural Gas and Hydrocarbon Fluids During Production Section 1-53 of the regulatory bill requires that fracking operations be conducted in a “manner that will protect the public health and safety and prevent pollution.” But fracking is inherently dangerous and polluting. Highly toxic Volatile Organic Compound or VOC emissions are generated by the fracking process and can cause irreversible neurological and or respiratory damage to children, adults, and other living things. VOCs have scientifically been shown to cause asthma, cancer, and severe illnesses. In extractive states, the largest contributor to VOCs is usually the oil and gas industry. This is the case in Colorado, where there have been many reported cases of illnesses from fracking pollution since the boom began. Ozone-forming air pollution measured in Colorado is up to twice the amount that government regulators have calculated should exist. Illinois can expect the same once fracking begins if the rules are not amended because, as currently drafted, the rules contain no best practice standards for mitigating VOCs. In fact, Sec 245.900e of the Rules allow companies to be wholly exempt from the regulation of runaway natural gas and hydrocarbon fluids if the regulation isn’t “cost effective” or if it is “economically unreasonable.” IDNR completely avoids defining “cost effectiveness” or “economically unreasonableness” – essentially allowing companies to define these terms for themselves. And we can assume that companies will make sure that they define it to their own benefit. A cost/benefit analysis that only calculates private costs of companies while ignoring the social costs on the people and the environment will result in privatizing profits for big corporations while socializing losses for taxpayers, adding an unjust burden to local and state governments. Solution: The Department must quantify the cost of various kinds of emissions utilizing independent scientific studies on this issue. Included in the quantification must be the health and environmental costs of emissions relative to the costs of capturing/reducing emissions. Once quantified, the Department must enact rules that carry out the legislative intent of the General Assembly and ensure that fracking operations in Illinois will be conducted in a manner that will protect the public health and safety and prevent pollution

Sincerely, Carolyn Treadway Normal, IL 61761



## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Chris Turner Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Chris Turner Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Christian Mortensen Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

Section 245.900 Managing Natural Gas and Hydrocarbon Fluids During Production Section 1-53 of the regulatory bill requires that fracking operations be conducted in a “manner that will protect the public health and safety and prevent pollution.” But fracking is inherently dangerous and polluting. Highly toxic Volatile Organic Compound or VOC emissions are generated by the fracking process and can cause irreversible neurological and or respiratory damage to children, adults, and other living things. VOCs have scientifically been shown to cause asthma, cancer, and severe illnesses. In extractive states, the largest contributor to VOCs is usually the oil and gas industry. This is the case in Colorado, where there have been many reported cases of illnesses from fracking pollution since the boom began. Ozone-forming air pollution measured in Colorado is up to twice the amount that government regulators have calculated should exist. Illinois can expect the same once fracking begins if the rules are not amended because, as currently drafted, the rules contain no best practice standards for mitigating VOCs. In fact, Sec 245.900e of the Rules allow companies to be wholly exempt from the regulation of runaway natural gas and hydrocarbon fluids if the regulation isn’t “cost effective” or if it is “economically unreasonable.” IDNR completely avoids defining “cost effectiveness” or “economically unreasonableness” – essentially allowing companies to define these terms for themselves. And we can assume that companies will make sure that they define it to their own benefit. A cost/benefit analysis that only calculates private costs of companies while ignoring the social costs on the people and the environment will result in privatizing profits for big corporations while socializing losses for taxpayers, adding an unjust burden to local and state governments. Solution: The Department must quantify the cost of various kinds of emissions utilizing independent scientific studies on this issue. Included in the quantification must be the health and environmental costs of emissions relative to the costs of capturing/reducing emissions. Once quantified, the Department must enact rules that carry out the legislative intent of the General Assembly and ensure that fracking operations in Illinois will be conducted in a manner that will protect the public health and safety and prevent pollution

Sincerely, Cindy Chung Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Clara Kao Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Dakota Dompke Belleville, IL 62221

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Dakota Dompke Belleville, IL 62221

## Fair Economy Illinois

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Sincerely, Dakota Dompke Belleville, IL 62221



## Fair Economy Illinois

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Sincerely, Dan Perry Chicago, IL 60657

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Dan Perry Chicago, IL 60657

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Daniel Ramus CHicago, IL 60625

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, David Klawitter Chicago, IL 60607

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Dominic Giafagleone Carbondale, IL 62901

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Donovan Snyder Snyder Chicago, IL 60605

## Fair Economy Illinois

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Sincerely, Donovan Snyder Snyder Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Durango Mendoza Urbana, IL 61801



## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, E Zemin Champaign, IL 61821

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Elias Friedman Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Elizabeth Patula Makanda, IL 62958

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Emerson Delgado Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Emerson Delgado Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Emily Huang Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Eve Zuckerman CHicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Florence Elgin, IL 60123



## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, France's Hoffman Chicago, IL 60657

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, France's Hoffman Chicago, IL 60657

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Francis Beach Chicago, IL 60637

## Fair Economy Illinois

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Sincerely, Garrick Balk 236 Prairie Street South Elgin, IL 60177-1528

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Gianna Chacon Chicago, IL 60605

## Fair Economy Illinois

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Sincerely, Girwana Baker Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Girwana Baker Chicago, IL 60605



## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Girwana Baker Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Gus Novoa Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Hannah Campbell Gustafson Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, James Alstrum Normal, IL 61761

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, James Wauer Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, James Wauer Chicago, IL 60637

## Fair Economy Illinois

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Sincerely, Janet Elizabeth Donoghue 5082 Springer Ridge Rd Carbondale, IL 62902

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Jasha Sommer-Simpson Chicago, IL 60615



## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Jason Busser Dixon, IL 61021

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Jay Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, jd paulus wheaton, IL 60187

## Fair Economy Illinois

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Sincerely, Jessa Dahl Chicago, IL 60615

## Fair Economy Illinois

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Sincerely, Jill Paulus wheaton, IL 60187

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Jill Paulus wheaton, IL 60187



## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Jill Paulus wheaton, IL 60187

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, joann conrad 13 red oak lane springfield, IL 62712

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Joey Knotts Chicago, IL 60605

## Fair Economy Illinois

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Sincerely, John Hunt Chicago, IL 60641

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Johnathan Guy Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Jorge Sanchez Chicago, IL 60637

## Fair Economy Illinois

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Sincerely, Joseph Gary New York, IL 10003

## Fair Economy Illinois

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Sincerely, Julia Ogilvie 1806 Marion Court Wheaton, IL 60187

## Fair Economy Illinois

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Sincerely, Kaijie Wang Chicago, IL 60615

## Fair Economy Illinois

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Sincerely, Kathy Machaj Chicago, IL 60607

## Fair Economy Illinois

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Sincerely, Kayli Horne Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Ken Buck Naperville, IL 60540



## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Keri Curtis Peru, IL 61354

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Kevin Casto Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Kris Chatterjee Chicago, IL 60637

## Fair Economy Illinois

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Sincerely, Lavine Hemlani Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Lavine Hemlani Chicago, IL 60637

## Fair Economy Illinois

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Sincerely, Linda Green 422 East 450 North Rd MORRISONVILLE, IL 62546

## Fair Economy Illinois

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Sincerely, Lindsay Paulus Wheaton , IL 60187

## Fair Economy Illinois

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Sincerely, Louis Clark Chicago, IL 60637



## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Lucia Amorelli 1690 Sheppard Ln. Makanda, IL 62958

## Fair Economy Illinois

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Sincerely, Lupita Carrasquillo Chicago, IL 60605

## Fair Economy Illinois

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Sincerely, Luz Magdaleno Chicago, IL 60632

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Luz Magdaleno Chicago, IL 60632



## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, M J Smerken Murphysboro, IL 62966

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, maayan olshan Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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## Fair Economy Illinois

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Sincerely, maayan olshan Chicago, IL 60615

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Sincerely, maayan olshan Chicago, IL 60615

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Sincerely, Mansi Kathuria Chicago, IL 60647

## Fair Economy Illinois

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Sincerely, Mary Ellen Barbezat Elgin, IL 60120

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Mary Ellen Barbezat Elgin, IL 60120



## Fair Economy Illinois

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Sincerely, Mary Trimmer Granite City, IL 62040

## Fair Economy Illinois

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Sincerely, Maryann Condren Naperville, IL 60540

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Maryann Condren Naperville, IL 60540

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Sincerely, Matt Steffen Lake Zurich, IL 60047

## Fair Economy Illinois

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Sincerely, Matthew Pava 401 Krebs Dr Champaign, IL 61822

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Matthew Raigosa Chicago, IL 60608



## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Mike Benz Chicago, IL 60645

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Min Li Naperville, IL 60564

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Min Li Naperville, IL 60564

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Min Li Naperville, IL 60564

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Molly Blondell Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Nancy Penney Monticello, IL 61856

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Noah Hellermann New York, IL 11218

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Norma Claire Moruzzi Chicago, IL 60640



## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Norma Claire Moruzzi Chicago, IL 60640

## Fair Economy Illinois

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Sincerely, Paloma Delgadillo Plano, IL 75075

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Patricia Simpson Philo, IL 61864

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Paulo Nacimiento Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Rachel Baker Chicago , IL 60625

## Fair Economy Illinois

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Sincerely, Rachel Pinker Chicago, IL 60637

## Fair Economy Illinois

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Sincerely, Rachel Pinker Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Rachelle Ankney Chicago, IL 60626



## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Raegan N Sheedy 426 East 450 North Rd MORRISONVILLE, IL 62546

## Fair Economy Illinois

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Sincerely, Raj Kapoor Oak Park, IL 60302

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Sincerely, Ramon Valladarez Chicago, IL 60642

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Sincerely, Raymond D. Gayton 453 Tahoe Street Park Forest, IL 60466

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Sincerely, Rebekah Sugarman Syosset, IL 11791

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Sincerely, Robert Yancey 570 Sorento Ave Sorento, IL 62086

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Sincerely, Roberta Weiner Chicago, IL 60637

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Sincerely, Roderick Luke Chan Chicago, IL 60615



## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Ron Yehoshua Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Ryan Kidman Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Ryn Grantham Grantham Chicago, IL 60605

## Fair Economy Illinois

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Sincerely, sam zacher Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, sam zacher Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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## Fair Economy Illinois

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Sincerely, sam zacher Chicago, IL 60637

## Fair Economy Illinois

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Sincerely, Samantha Martin Chicago, IL 60605



## Fair Economy Illinois

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Sincerely, Sandeep Malladi Chicago, IL 60637

## Fair Economy Illinois

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Sincerely, Sandeep Malladi Chicago, IL 60637

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Sincerely, Sarah Kindt Chicago, IL 60607

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Sarah Quesnell Chicago, IL 60605



## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

Section 245.900 Managing Natural Gas and Hydrocarbon Fluids During Production Section 1-53 of the regulatory bill requires that fracking operations be conducted in a “manner that will protect the public health and safety and prevent pollution.” But fracking is inherently dangerous and polluting. Highly toxic Volatile Organic Compound or VOC emissions are generated by the fracking process and can cause irreversible neurological and or respiratory damage to children, adults, and other living things. VOCs have scientifically been shown to cause asthma, cancer, and severe illnesses. In extractive states, the largest contributor to VOCs is usually the oil and gas industry. This is the case in Colorado, where there have been many reported cases of illnesses from fracking pollution since the boom began. Ozone-forming air pollution measured in Colorado is up to twice the amount that government regulators have calculated should exist. Illinois can expect the same once fracking begins if the rules are not amended because, as currently drafted, the rules contain no best practice standards for mitigating VOCs. In fact, Sec 245.900e of the Rules allow companies to be wholly exempt from the regulation of runaway natural gas and hydrocarbon fluids if the regulation isn’t “cost effective” or if it is “economically unreasonable.” IDNR completely avoids defining “cost effectiveness” or “economically unreasonableness” – essentially allowing companies to define these terms for themselves. And we can assume that companies will make sure that they define it to their own benefit. A cost/benefit analysis that only calculates private costs of companies while ignoring the social costs on the people and the environment will result in privatizing profits for big corporations while socializing losses for taxpayers, adding an unjust burden to local and state governments. Solution: The Department must quantify the cost of various kinds of emissions utilizing independent scientific studies on this issue. Included in the quantification must be the health and environmental costs of emissions relative to the costs of capturing/reducing emissions. Once quantified, the Department must enact rules that carry out the legislative intent of the General Assembly and ensure that fracking operations in Illinois will be conducted in a manner that will protect the public health and safety and prevent pollution

Sincerely, Sarah Quesnell Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Sarah Quesnell Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Scott Condren Chicago, IL 60608

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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## Fair Economy Illinois

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Sincerely, Shelley Brown Decatur, IL 62522

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Shelley Brown Decatur, IL 62522

## Fair Economy Illinois

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Sincerely, Shreya Kalva Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Shreya Kathuria Vernon Hills, IL 60061



## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Simone Serhan Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Sloane Moore River Forest, IL 60305

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Sloane Moore River Forest, IL 60305

## Fair Economy Illinois

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Sincerely, Sophia Johnson Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Tim Law Chicago, IL 60637

## Fair Economy Illinois

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Sincerely, Tori Root Naperville, IL 60564

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Tori Root Naperville, IL 60564



## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Treesong 2030 S Illinois Ave #9 Carbondale, IL 62903

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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## Fair Economy Illinois

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Sincerely, Vadim Tanyoin Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Virginia Baker Chicago, IL 60608

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, Weili Zheng Chicago, IL 60607

## Fair Economy Illinois

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Sincerely, Westin Campo Chicago, IL 60608

## Fair Economy Illinois

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Sincerely, William Thomas Chicago, IL 60637



## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, William Toole Godfrey, IL 62035

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

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Sincerely, William Toole Godfrey, IL 62035

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Sincerely, Young-In Chicago, IL 60637

## Fair Economy Illinois

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Sincerely, Young-In Chicago, IL 60637

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Sincerely, Zach Taylor Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

Section 245.900 Managing Natural Gas and Hydrocarbon Fluids During Production To the Illinois Department of Natural Resources, To start off, I would first like to define the phrase “Volatile Organic Compounds”. According to the EPA, the general definition of VOCs is as follows: “any compound of carbon, excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate, which participates in atmospheric photochemical reactions, except those designated by EPA as having negligible photochemical reactivity” (EPA, 2012). The composition of these VOCs allows them to evaporate “under normal indoor atmospheric conditions of temperature and pressure” (EPA, 2012). Beyond the general definition of VOCs, comes the many complications associated with these compounds. Also stated by the EPA, health impacts, resulting from VOCs, include “Eye, nose, and throat irritation; headaches, loss of coordination, nausea; damage to liver, kidney, and central nervous system” (EPA, 2012). Section 1-53 of the regulatory bill requires that fracking operations be conducted in a “manner that will protect the public health and safety and prevent pollution.” However, VOC emissions are generated by the fracking process, and I just got done showing that these substances have adverse health effects! Children and the elderly are even more prone to experiencing any of these associated health impacts from VOCs. The oil and gas industries are some of the top emitters of VOCs, so you may be wondering why I am dogging the fact that fracking also contributes to VOC emissions. I am addressing this because the proposed rules do not address how to mitigate VOCs that occur as a result of the fracking process at all! Using Colorado as an example, ozone-forming air pollution is about twice the amount that government regulators say can occur! Without appropriate regulations and rules in place, Illinois could find itself in a similar situation all because the current, drafted rules do not say, again, how to mitigate this! In fact, Sec 245.900e of the Rules allow companies to be wholly exempt from the regulation of runaway natural gas and hydrocarbon fluids if the regulation isn’t “cost effective” or if it is “economically unreasonable.” Also, not surprisingly, the IDNR completely avoids defining “cost effectiveness” or “economically unreasonableness”. By not defining these two terms companies are essentially left to define these terms for themselves and, to be honest, it is safe to assume that companies will make sure that they define it to their own benefit and strictly for profit, setting conscience aside. In turn, a cost/benefit analysis that only calculates private costs of companies while ignoring the social costs on the people and the environment will result in privatizing profits for big corporations while also socializing losses for taxpayers, adding an unjust burden to both local and state governments. Although I do not agree with the process of hydraulic fracturing coming to Illinois at all, I think that this section, or lack thereof, can be added/continuously improved upon within the drafted rules. In order to make this improvement/correction, I demand that the IDNR quantify the cost of various types of emissions by utilizing various, independent studies on this particular issue (seeing that the rules do not use any scientific studies at all, this could also be a way to make your proposed rules more credible overall). Both the health and environmental costs of these emissions (relative to the costs of capturing/reducing emissions) must also be included in this “quantification”. After being quantified, the Department must enact rules that carry out the legislative intent of the General Assembly and

## Fair Economy Illinois

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ensure that fracking operations in Illinois will be conducted in a manner that will protect the public health and safety and prevent pollution considering this is not the case so far. Please consider what I have proposed, and thanks for your time in reading this. <http://www.epa.gov/iaq/voc2.html#definition>  
<http://www.epa.gov/iaq/voc.html>

Sincerely, Rebecca Quesnell 3 Talisman Trace Galena, IL 61036



## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

Section 245.900 Managing Natural Gas and Hydrocarbon Fluids During Production To the Illinois Department of Natural Resources, To start off, I would first like to define the phrase “Volatile Organic Compounds”. According to the EPA, the general definition of VOCs is as follows: “any compound of carbon, excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate, which participates in atmospheric photochemical reactions, except those designated by EPA as having negligible photochemical reactivity” (EPA, 2012). The composition of these VOCs allows them to evaporate “under normal indoor atmospheric conditions of temperature and pressure” (EPA, 2012). Beyond the general definition of VOCs, comes the many complications associated with these compounds. Also stated by the EPA, health impacts, resulting from VOCs, include “Eye, nose, and throat irritation; headaches, loss of coordination, nausea; damage to liver, kidney, and central nervous system” (EPA, 2012). Section 1-53 of the regulatory bill requires that fracking operations be conducted in a “manner that will protect the public health and safety and prevent pollution.” However, VOC emissions are generated by the fracking process, and I just got done showing that these substances have adverse health effects! Children and the elderly are even more prone to experiencing any of these associated health impacts from VOCs. The oil and gas industries are some of the top emitters of VOCs, so you may be wondering why I am dogging the fact that fracking also contributes to VOC emissions. I am addressing this because the proposed rules do not address how to mitigate VOCs that occur as a result of the fracking process at all! Using Colorado as an example, ozone-forming air pollution is about twice the amount that government regulators say can occur! Without appropriate regulations and rules in place, Illinois could find itself in a similar situation all because the current, drafted rules do not say, again, how to mitigate this! In fact, Sec 245.900e of the Rules allow companies to be wholly exempt from the regulation of runaway natural gas and hydrocarbon fluids if the regulation isn’t “cost effective” or if it is “economically unreasonable.” Also, not surprisingly, the IDNR completely avoids defining “cost effectiveness” or “economically unreasonableness”. By not defining these two terms companies are essentially left to define these terms for themselves and, to be honest, it is safe to assume that companies will make sure that they define it to their own benefit and strictly for profit, setting conscience aside. In turn, a cost/benefit analysis that only calculates private costs of companies while ignoring the social costs on the people and the environment will result in privatizing profits for big corporations while also socializing losses for taxpayers, adding an unjust burden to both local and state governments. Although I do not agree with the process of hydraulic fracturing coming to Illinois at all, I think that this section, or lack thereof, can be added/continuously improved upon within the drafted rules. In order to make this improvement/correction, I demand that the IDNR quantify the cost of various types of emissions by utilizing various, independent studies on this particular issue (seeing that the rules do not use any scientific studies at all, this could also be a way to make your proposed rules more credible overall). Both the health and environmental costs of these emissions (relative to the costs of capturing/reducing emissions) must also be included in this “quantification”. After being quantified, the Department must enact rules that carry out the legislative intent of the General Assembly and

## Fair Economy Illinois

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ensure that fracking operations in Illinois will be conducted in a manner that will protect the public health and safety and prevent pollution considering this is not the case so far. Please consider what I have proposed, and thanks for your time in reading this. <http://www.epa.gov/iaq/voc2.html#definition>  
<http://www.epa.gov/iaq/voc.html>

Sincerely, Rebecca Quesnell 3 Talisman Trace Galena, IL 61036

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

Section 245.900 Managing Natural Gas and Hydrocarbon Fluids During Production VOCs have scientifically been shown to cause asthma, cancer, and severe illnesses. Please stop fracking.

Sincerely, Channa Lindsay Chicago, IL 60608

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

Section 245.900 Managing Natural Gas and Hydrocarbon Fluids During Production Volatile Organic Compound (VOC) Emissions How does this affect me: Health and well-being Relevant parts of the Proposed Administrative Rules: 245.900 Managing Natural Gas and Hydrocarbon Fluids During Production Section 1-53 of the regulatory bill requires that fracking operations be conducted in a “manner that will protect the public health and safety and prevent pollution.” But fracking is inherently dangerous and polluting. Highly toxic Volatile Organic Compound or VOC emissions are generated by the fracking process and can cause irreversible neurological and or respiratory damage to children, adults, and other living things. VOCs have scientifically been shown to cause asthma, cancer, and severe illnesses. In extractive states, the largest contributor to VOCs is usually the oil and gas industry. This is the case in Colorado, where there have been many reported cases of illnesses from fracking pollution since the boom began. Ozone-forming air pollution measured in Colorado is up to twice the amount that government regulators have calculated should exist. Illinois can expect the same once fracking begins if the rules are not amended because, as currently drafted, the rules contain no best practice standards for mitigating VOCs. In fact, Sec 245.900e of the Rules allow companies to be wholly exempt from the regulation of runaway natural gas and hydrocarbon fluids if the regulation isn’t “cost effective” or if it is “economically unreasonable.” IDNR completely avoids defining “cost effectiveness” or “economically unreasonableness” – essentially allowing companies to define these terms for themselves. And we can assume that companies will make sure that they define it to their own benefit. A cost/benefit analysis that only calculates private costs of companies while ignoring the social costs on the people and the environment will result in privatizing profits for big corporations while socializing losses for taxpayers, adding an unjust burden to local and state governments. Solution: The Department must quantify the cost of various kinds of emissions utilizing independent scientific studies on this issue. Included in the quantification must be the health and environmental costs of emissions relative to the costs of capturing/reducing emissions. Once quantified, the Department must enact rules that carry out the legislative intent of the General Assembly and ensure that fracking operations in Illinois will be conducted in a manner that will protect the public health and safety and prevent pollution

Sincerely, Sabrina Helen Bennett Hardenbergh 1 Hardenbergh Road Carbondale, IL 62902

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

Section 245.900 Managing Natural Gas and Hydrocarbon Fluids During Production Volatile Organic Compound (VOC) Emissions Relevant parts of the Proposed Administrative Rules: 245.900 Managing Natural Gas and Hydrocarbon Fluids During Production Section 1-53 of the regulatory bill requires that fracking operations be conducted in a “manner that will protect the public health and safety and prevent pollution.” But fracking is inherently dangerous and polluting. Highly toxic Volatile Organic Compound or VOC emissions are generated by the fracking process and can cause irreversible neurological and or respiratory damage to children, adults, and other living things. VOCs have scientifically been shown to cause asthma, cancer, and severe illnesses. In extractive states, the largest contributor to VOCs is usually the oil and gas industry. This is the case in Colorado, where there have been many reported cases of illnesses from fracking pollution since the boom began. Ozone-forming air pollution measured in Colorado is up to twice the amount that government regulators have calculated should exist. Illinois can expect the same once fracking begins if the rules are not amended because, as currently drafted, the rules contain no best practice standards for mitigating VOCs. In fact, Sec 245.900e of the Rules allow companies to be wholly exempt from the regulation of runaway natural gas and hydrocarbon fluids if the regulation isn’t “cost effective” or if it is “economically unreasonable.” IDNR completely avoids defining “cost effectiveness” or “economically unreasonableness” – essentially allowing companies to define these terms for themselves. And we can assume that companies will make sure that they define it to their own benefit. A cost/benefit analysis that only calculates private costs of companies while ignoring the social costs on the people and the environment will result in privatizing profits for big corporations while socializing losses for taxpayers, adding an unjust burden to local and state governments. Solution: The Department must quantify the cost of various kinds of emissions utilizing independent scientific studies on this issue. Included in the quantification must be the health and environmental costs of emissions relative to the costs of capturing/reducing emissions. Once quantified, the Department must enact rules that carry out the legislative intent of the General Assembly and ensure that fracking operations in Illinois will be conducted in a manner that will protect the public health and safety and prevent pollution

Sincerely, Stephanie Bilenko LaGrange Park, IL 60526

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

Section 245.900 Managing Natural Gas and Hydrocarbon Fluids During Production Volatile Organic Compound (VOC) Emissions Relevant parts of the Proposed Administrative Rules: 245.900 Managing Natural Gas and Hydrocarbon Fluids During Production Section 1-53 of the regulatory bill requires that fracking operations be conducted in a “manner that will protect the public health and safety and prevent pollution.” But fracking is inherently dangerous and polluting. Highly toxic Volatile Organic Compound or VOC emissions are generated by the fracking process and can cause irreversible neurological and or respiratory damage to children, adults, and other living things. VOCs have scientifically been shown to cause asthma, cancer, and severe illnesses. In extractive states, the largest contributor to VOCs is usually the oil and gas industry. This is the case in Colorado, where there have been many reported cases of illnesses from fracking pollution since the boom began. Ozone-forming air pollution measured in Colorado is up to twice the amount that government regulators have calculated should exist. Illinois can expect the same once fracking begins if the rules are not amended because, as currently drafted, the rules contain no best practice standards for mitigating VOCs. In fact, Sec 245.900e of the Rules allow companies to be wholly exempt from the regulation of runaway natural gas and hydrocarbon fluids if the regulation isn’t “cost effective” or if it is “economically unreasonable.” IDNR completely avoids defining “cost effectiveness” or “economically unreasonableness” – essentially allowing companies to define these terms for themselves. And we can assume that companies will make sure that they define it to their own benefit. A cost/benefit analysis that only calculates private costs of companies while ignoring the social costs on the people and the environment will result in privatizing profits for big corporations while socializing losses for taxpayers, adding an unjust burden to local and state governments. Solution: The Department must quantify the cost of various kinds of emissions utilizing independent scientific studies on this issue. Included in the quantification must be the health and environmental costs of emissions relative to the costs of capturing/reducing emissions. Once quantified, the Department must enact rules that carry out the legislative intent of the General Assembly and ensure that fracking operations in Illinois will be conducted in a manner that will protect the public health and safety and prevent pollution

Sincerely, Stephanie Bilenko LaGrange Park, IL 60526

## Fair Economy Illinois

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In reference to Subpart I: High Volume Horizontal Hydraulic Fracturing Production

Section 245.900 Managing Natural Gas and Hydrocarbon Fluids During Production When I heard that Illinois allowed fracking, I was extremely saddened and fearful for the health of my family. Even with the rules established, it's still not enough to protect us from the dangers fracking will impose on the environment and our water supply.

Sincerely, Liza Pono Chicago, IL 60616

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

Section 245.110 Definitions Section 245.1100 Suspension, Revocation, Remediation and Administrative Penalties

Fracking causes subsidence, migration of gas, cancer clusters, and \$22,000 per cow killed by fracking is not enough compensation as humans are as susceptible to death by fracking as other mammals. Death and cancer are not advertised in fracking literature and the whole story cannot be told by frackers alone. A more sensible approach is possible if the easy, lazy process of fracking is shunted. Illinois environs have been destroyed too easily before this.

Sincerely, walter a harper 228 country drive green valley, IL 61534



## Fair Economy Illinois

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In reference to Subpart K: Enforcement

Section 245.110 DefinitionsSection 245.1100 Suspension, Revocation, Remediation and Administrative Penalties

Fracking will affect my community and these Corps should pay.

Sincerely, Breanna Champion Chicago, IL 60616

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

Section 245.110 Definitions  
Section 245.1100 Suspension, Revocation, Remediation and Administrative Penalties

here are reasons why failure to adhere to section 1-70 must result in permit revocation: If well operators shortcut the well development standards in Sec. 1-70 or if the well fails any of the required tests in Sec. 1-70, the adverse events cited above become much more likely. Pollution of aquifers is also much more likely and this pollution can be easily overlooked. Other states have experienced major problems with some rogue companies that systematically and persistently engage in high-risk, cost-cutting violations of regulations, such as these. If some companies are allowed to violate Section 1-70, others will follow their lead. It was the violation of the provisions in Sec. 1-70 that led to the Deepwater Horizon explosion in the Gulf of Mexico on 20 April 2010. That explosion claimed 11 lives and led to the largest environmental disaster in American History. Automatic permit revocation for violations of Sec. 1-70 could prove to be one of the more effective ways to ensure higher levels of safety and environmental protection in areas where fracking will occur. If the IDNR is not serious about strict enforcement of Sections 245-520/580, then it has already nullified one of the most important set of regulatory standards for the oil and gas industry.

Sincerely, Jane Lee Naperville, IL 60564

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

Section 245.110 Definitions  
Section 245.1100 Suspension, Revocation, Remediation and Administrative Penalties

I have read about too many problems that have occurred from cost cutting short cuts that benefit a company and damage property and health of citizens of nearby areas. If we want to keep people safe, we need to enforce stiff penalties for missteps. I would have more confidence in this whole process if automatic permit revocation for violations of Sec. 1- 70 was enacted.

Sincerely, Kathryn Chapman RR 2 Box 20 Hamburg, IL 62045

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

Section 245.110 Definitions  
Section 245.1100 Suspension, Revocation, Remediation and Administrative Penalties

My concern is the following: Section 245.1100 states that the Department may revoke for a wide variety of infractions: "The Department may, through the enforcement process set forth in this Subpart, suspend or revoke a high volume horizontal hydraulic fracturing permit, order actions to remediate, or issue administrative penalties for one or more of the following causes..." This rule is too lax when the violation involves failing to follow guidelines when building/developing a well or testing its integrity. In those circumstances, the rules should require mandatory revocation of the permit. Provisions in Section 1-70 of the Hydraulic Fracturing Regulatory Act (Well preparation, construction, and drilling) require adherence to the American Petroleum Institute (API) standards when developing and testing oil and gas wells. By not requiring immediate revocation, it is much more likely that Illinois neighborhoods will see well blow-outs, fires and explosions, death to workers, and pollution to the groundwater, air and soil. Other states have reported major problems with some companies who persistently engage in high-risk, cost-cutting measures that violate regulations. Illinois should not become another statistic!

Sincerely, Chris Christensen Arlington Hts, IL 60004

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

Section 245.110 Definitions Section 245.1100 Suspension, Revocation, Remediation and Administrative Penalties

Permit revocation for violations of Sec. 1-70 by hydraulic fracturing companies would be effective in ensuring environmental protection and higher levels of safety in areas where hydraulic fracturing will occur. Fracturing companies will take advantage of these regulations, unless violations are treated as completely unacceptable.

Sincerely, Samuel Peiffer Woodstock, IL 60098

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

Section 245.110 Definitions  
Section 245.1100 Suspension, Revocation, Remediation and Administrative Penalties

Section 245.1100 states that the Department may revoke for a wide variety of infractions: "The Department may, through the enforcement process set forth in this Subpart, suspend or revoke a high volume horizontal hydraulic fracturing permit, order actions to remediate, or issue administrative penalties for one or more of the following causes..." The rules are too lax when the violation involves failing to follow guidelines when building/developing a well or testing its integrity. In those circumstances, the rules should require mandatory revocation of the permit. Rationale: Provisions in Section 1-70 of the Hydraulic Fracturing Regulatory Act (Well preparation, construction, and drilling) require adherence to the American Petroleum Institute (API) standards when developing and testing oil and gas wells. A strong case can be made that these are the most important sections in the law because their objective is to reduce the risks of well blowouts, fires and explosions along with the attendant risks of injury or death to workers, adverse public health outcomes to nearby residents, and the pollution of groundwater, air, and soil. There are reasons why failure to adhere to section 1-70 must result in permit revocation: - If well operators shortcut the well development standards in Sec. 1-70 or if the well fails any of the required tests in Sec. 1-70, the adverse events cited above become much more likely. Pollution of aquifers is also much more likely and this pollution can be easily overlooked. - Other states have experienced major problems with some rogue companies that systematically and persistently engage in high-risk, cost-cutting violations of regulations, such as these. If some companies are allowed to violate Section 1-70, others will follow their lead. - It was the violation of the provisions in Sec. 1-70 that led to the Deepwater Horizon explosion in the Gulf of Mexico on 20 April 2010. That explosion claimed 11 lives and led to the largest environmental disaster in American History. Automatic permit revocation for violations of Sec. 1-70 could prove to be one of the more effective ways to ensure higher levels of safety and environmental protection in areas where fracking will occur. If the IDNR is not serious about strict enforcement of Sections 245-520/580, then it has already nullified one of the most important set of regulatory standards for the oil and gas industry.

Sincerely, Andrew Hwang Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

Section 245.110 Definitions  
Section 245.1100 Suspension, Revocation, Remediation and Administrative Penalties

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Sincerely, Benjamin Boyajian 5121 S Kenwood Ave Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

Section 245.110 Definitions  
Section 245.1100 Suspension, Revocation, Remediation and Administrative Penalties

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Sincerely, Benjamin Boyajian 5121 S Kenwood Ave Chicago, IL 60615



## Fair Economy Illinois

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In reference to Subpart K: Enforcement

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Sincerely, Jorge Sanchez Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

Section 245.110 Definitions  
Section 245.1100 Suspension, Revocation, Remediation and Administrative Penalties

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Sincerely, Rohit Satishchandra University of Chicago (5630 S. University Avenue) Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

Section 245.110 Definitions  
Section 245.1100 Suspension, Revocation, Remediation and Administrative Penalties

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Sincerely, Patti Walker RR#2 (Box42a) Karbers Ridge, IL 62955

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

Section 245.110 Definitions  
Section 245.1100 Suspension, Revocation, Remediation and Administrative Penalties

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Sincerely, B. E. Murphy 458 Tahoe Park Forest, IL 60466

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

Section 245.110 Definitions  
Section 245.1100 Suspension, Revocation, Remediation and Administrative Penalties

Section 245.1100 states that the Department may revoke for a wide variety of infractions: The Department may, through the enforcement process set forth in this Subpart, suspend or revoke a high volume horizontal hydraulic fracturing permit, order actions to remediate, or issue administrative penalties for one or more of the following causes... The rules are too lax when the violation involves failing to follow guidelines when building/developing a well or testing its integrity. In those circumstances, the rules should require mandatory revocation of the permit. Rationale: Provisions in Section 1-70 of the Hydraulic Fracturing Regulatory Act (Well preparation, construction, and drilling) require adherence to the American Petroleum Institute (API) standards when developing and testing oil and gas wells. A strong case can be made that these are the most important sections in the law because their objective is to reduce the risks of well blowouts, fires and explosions along with the attendant risks of injury or death to workers, adverse public health outcomes to nearby residents, and the pollution of groundwater, air, and soil. There are reasons why failure to adhere to section 1-70 must result in permit revocation: If well operators shortcut the well development standards in Sec. 1-70 or if the well fails any of the required tests in Sec. 1-70, the adverse events cited above become much more likely. Pollution of aquifers is also much more likely and this pollution can be easily overlooked. Other states have experienced major problems with some rogue companies that systematically and persistently engage in high-risk, cost-cutting violations of regulations, such as these. If some companies are allowed to violate Section 1-70, others will follow their lead. It was the violation of the provisions in Sec. 1-70 that led to the Deepwater Horizon explosion in the Gulf of Mexico on 20 April 2010. That explosion claimed 11 lives and led to the largest environmental disaster in American History. Automatic permit revocation for violations of Sec. 1-70 could prove to be one of the more effective ways to ensure higher levels of safety and environmental protection in areas where fracking will occur. If the IDNR is not serious about strict enforcement of Sections 245-520/580, then it has already nullified one of the most important set of regulatory standards for the oil and gas industry.

Sincerely, Adriana Caballero Oak Park, IL 60302

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

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Sincerely, Aija Nemer-Aanerud 1623 E. 55th St. (Apt. 2) Chicago, IL 60615

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Sincerely, Amanda Woodall 4949 N. Whipple Street Chicago, IL 60625



## Fair Economy Illinois

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Sincerely, Baylee Champion Chicago, IL 60616

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Sincerely, Baylee Champion Chicago, IL 60616

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Sincerely, Benjamin Boyajian 5121 S Kenwood Ave Chicago, IL 60615

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Sincerely, Bing Li Chicago, IL 60608



## Fair Economy Illinois

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Section 245.1100 states that the Department may revoke for a wide variety of infractions: The Department may, through the enforcement process set forth in this Subpart, suspend or revoke a high volume horizontal hydraulic fracturing permit, order actions to remediate, or issue administrative penalties for one or more of the following causes... The rules are too lax when the violation involves failing to follow guidelines when building/developing a well or testing its integrity. In those circumstances, the rules should require mandatory revocation of the permit. Rationale: Provisions in Section 1-70 of the Hydraulic Fracturing Regulatory Act (Well preparation, construction, and drilling) require adherence to the American Petroleum Institute (API) standards when developing and testing oil and gas wells. A strong case can be made that these are the most important sections in the law because their objective is to reduce the risks of well blowouts, fires and explosions along with the attendant risks of injury or death to workers, adverse public health outcomes to nearby residents, and the pollution of groundwater, air, and soil. There are reasons why failure to adhere to section 1-70 must result in permit revocation: If well operators shortcut the well development standards in Sec. 1-70 or if the well fails any of the required tests in Sec. 1-70, the adverse events cited above become much more likely. Pollution of aquifers is also much more likely and this pollution can be easily overlooked. Other states have experienced major problems with some rogue companies that systematically and persistently engage in high-risk, cost-cutting violations of regulations, such as these. If some companies are allowed to violate Section 1-70, others will follow their lead. It was the violation of the provisions in Sec. 1-70 that led to the Deepwater Horizon explosion in the Gulf of Mexico on 20 April 2010. That explosion claimed 11 lives and led to the largest environmental disaster in American History. Automatic permit revocation for violations of Sec. 1-70 could prove to be one of the more effective ways to ensure higher levels of safety and environmental protection in areas where fracking will occur. If the IDNR is not serious about strict enforcement of Sections 245-520/580, then it has already nullified one of the most important set of regulatory standards for the oil and gas industry.

Sincerely, Brian Edward Anthony Menzel Chicago, IL 60608

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

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Sincerely, Bruce Anderson Rolling Meadows, IL 60008

## Fair Economy Illinois

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Sincerely, Bruce Anderson Rolling Meadows, IL 60008

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Sincerely, Dominic Giafagione Carbondale, IL 62901

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Sincerely, Elizabeth A. Cerny 7728 Williams St. Downers Grove, IL 60516

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Sincerely, Elizabeth Patula Makanda, IL 62958

## Fair Economy Illinois

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Sincerely, Garrick Balk 236 Prairie Street South Elgin, IL 60177-1528

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Sincerely, Hannah Campbell Gustafson Chicago, IL 60637

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Sincerely, Jan A Pietrzak 12031 S 72nd Ct Palos Heights, IL 60463



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Sincerely, jd paulus wheaton, IL 60187

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Section 245.1100 states that the Department may revoke for a wide variety of infractions: The Department may, through the enforcement process set forth in this Subpart, suspend or revoke a high volume horizontal hydraulic fracturing permit, order actions to remediate, or issue administrative penalties for one or more of the following causes... The rules are too lax when the violation involves failing to follow guidelines when building/developing a well or testing its integrity. In those circumstances, the rules should require mandatory revocation of the permit. Rationale: Provisions in Section 1-70 of the Hydraulic Fracturing Regulatory Act (Well preparation, construction, and drilling) require adherence to the American Petroleum Institute (API) standards when developing and testing oil and gas wells. A strong case can be made that these are the most important sections in the law because their objective is to reduce the risks of well blowouts, fires and explosions along with the attendant risks of injury or death to workers, adverse public health outcomes to nearby residents, and the pollution of groundwater, air, and soil. There are reasons why failure to adhere to section 1-70 must result in permit revocation: If well operators shortcut the well development standards in Sec. 1-70 or if the well fails any of the required tests in Sec. 1-70, the adverse events cited above become much more likely. Pollution of aquifers is also much more likely and this pollution can be easily overlooked. Other states have experienced major problems with some rogue companies that systematically and persistently engage in high-risk, cost-cutting violations of regulations, such as these. If some companies are allowed to violate Section 1-70, others will follow their lead. It was the violation of the provisions in Sec. 1-70 that led to the Deepwater Horizon explosion in the Gulf of Mexico on 20 April 2010. That explosion claimed 11 lives and led to the largest environmental disaster in American History. Automatic permit revocation for violations of Sec. 1-70 could prove to be one of the more effective ways to ensure higher levels of safety and environmental protection in areas where fracking will occur. If the IDNR is not serious about strict enforcement of Sections 245-520/580, then it has already nullified one of the most important set of regulatory standards for the oil and gas industry.

Sincerely, joann conrad 13 red oak lane springfield, IL 62712

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

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Section 245.1100 Suspension, Revocation, Remediation and Administrative Penalties

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Sincerely, Kathy Machaj One Carley Ct. Lemont, IL 60439

## Fair Economy Illinois

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Sincerely, M Alan Wurth Red Bud, IL 62278

## Fair Economy Illinois

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Section 245.1100 Suspension, Revocation, Remediation and Administrative Penalties

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Sincerely, M Smerken Murphysboro, IL 62966

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

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Section 245.1100 Suspension, Revocation, Remediation and Administrative Penalties

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Sincerely, Marissa Godlewski Carbondale, IL 62901

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Sincerely, Matthew Pava 401 Krebs Dr Champaign, IL 61822

## Fair Economy Illinois

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Sincerely, Michael Longfield mundelein, IL 60060



## Fair Economy Illinois

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Sincerely, Mike Reed Box 421 Sheridan, IL 60551

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Section 245.1100 states that the Department may revoke for a wide variety of infractions: The Department may, through the enforcement process set forth in this Subpart, suspend or revoke a high volume horizontal hydraulic fracturing permit, order actions to remediate, or issue administrative penalties for one or more of the following causes... The rules are too lax when the violation involves failing to follow guidelines when building/developing a well or testing its integrity. In those circumstances, the rules should require mandatory revocation of the permit. Rationale: Provisions in Section 1-70 of the Hydraulic Fracturing Regulatory Act (Well preparation, construction, and drilling) require adherence to the American Petroleum Institute (API) standards when developing and testing oil and gas wells. A strong case can be made that these are the most important sections in the law because their objective is to reduce the risks of well blowouts, fires and explosions along with the attendant risks of injury or death to workers, adverse public health outcomes to nearby residents, and the pollution of groundwater, air, and soil. There are reasons why failure to adhere to section 1-70 must result in permit revocation: If well operators shortcut the well development standards in Sec. 1-70 or if the well fails any of the required tests in Sec. 1-70, the adverse events cited above become much more likely. Pollution of aquifers is also much more likely and this pollution can be easily overlooked. Other states have experienced major problems with some rogue companies that systematically and persistently engage in high-risk, cost-cutting violations of regulations, such as these. If some companies are allowed to violate Section 1-70, others will follow their lead. It was the violation of the provisions in Sec. 1-70 that led to the Deepwater Horizon explosion in the Gulf of Mexico on 20 April 2010. That explosion claimed 11 lives and led to the largest environmental disaster in American History. Automatic permit revocation for violations of Sec. 1-70 could prove to be one of the more effective ways to ensure higher levels of safety and environmental protection in areas where fracking will occur. If the IDNR is not serious about strict enforcement of Sections 245-520/580, then it has already nullified one of the most important set of regulatory standards for the oil and gas industry.

Sincerely, Miranda Bailey 1822 Park Ave Alton, IL 62002

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

Section 245.110 Definitions  
Section 245.1100 Suspension, Revocation, Remediation and Administrative Penalties

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Sincerely, Natalya Glaser Chicago, IL 60637

## Fair Economy Illinois

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Sincerely, Natalya Glaser Chicago, IL 60637

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Sincerely, Norma Claire Moruzzi Chicago, IL 60640

## Fair Economy Illinois

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Sincerely, Raymond D. Gayton 453 Tahoe Street Park Forest, IL 60466

## Fair Economy Illinois

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Sincerely, Sandra Nickerson West Dundee, IL 60118



## Fair Economy Illinois

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Sincerely, Sloane Moore River Forest, IL 60305

## Fair Economy Illinois

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Sincerely, Tim Brooks Chicago, IL 60652

## Fair Economy Illinois

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Sincerely, Tyler Hansen Oak Park, IL 60304

## Fair Economy Illinois

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Sincerely, Keri Curtis Peru, IL 61354

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

Section 245.110 Definitions Section 245.1100 Suspension, Revocation, Remediation and Administrative Penalties

Stricter enforcements and more transparency! As an IL resident, I am very concerned by the lax regulations of the fracking industry. Health is more important than profit!

Sincerely, Kayli Horne 911 E. 54th Street (Apt 204) Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

Section 245.110 Definitions  
Section 245.1100 Suspension, Revocation, Remediation and Administrative Penalties

Students in school automatically fail a course if they plagiarize. People with DUIs automatically have their license suspended. But according to the IDNR rules, fracking operators may or may not have their permits revoked if they do not abide by guidelines in building or testing a well. This doesn't even begin to make sense. Because fracking operations pose serious occupational and public health risks, permits should automatically be revoked for violating well testing or building guidelines. Section 245.1100 states that the Department may revoke for a wide variety of infractions: "The Department may, through the enforcement process set forth in this Subpart, suspend or revoke a high volume horizontal hydraulic fracturing permit, order actions to remediate, or issue administrative penalties for one or more of the following causes..." The rules are too lax when the violation involves failing to follow guidelines when building/developing a well or testing its integrity. In those circumstances, the rules should require mandatory revocation of the permit. Provisions in Section 1-70 of the Hydraulic Fracturing Regulatory Act (Well preparation, construction, and drilling) require adherence to the American Petroleum Institute (API) standards when developing and testing oil and gas wells. A strong case can be made that these are the most important sections in the law because their objective is to reduce the risks of well blowouts, fires and explosions along with the attendant risks of injury or death to workers, adverse public health outcomes to nearby residents, and the pollution of groundwater, air, and soil. There are reasons why failure to adhere to section 1-70 must result in permit revocation: If well operators shortcut the well development standards in Sec. 1-70 or if the well fails any of the required tests in Sec. 1-70, the adverse events cited above become much more likely. Pollution of aquifers is also much more likely and this pollution can be easily overlooked. Other states have experienced major problems with some rogue companies that systematically and persistently engage in high-risk, cost-cutting violations of regulations, such as these. If some companies are allowed to violate Section 1-70, others will follow their lead. It was the violation of the provisions in Sec. 1-70 that led to the Deepwater Horizon explosion in the Gulf of Mexico on 20 April 2010. That explosion claimed 11 lives and led to the largest environmental disaster in American History. Automatic permit revocation for violations of Sec. 1-70 could prove to be one of the more effective ways to ensure higher levels of safety and environmental protection in areas where fracking will occur. If the IDNR is not serious about strict enforcement of Sections 245-520/580, then it has already nullified one of the most important set of regulatory standards for the oil and gas industry.

Sincerely, Sara Buck Chicago , IL 60640

## Fair Economy Illinois

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Sincerely, Grace Pai 1350 E. 53rd St. Chicago, IL 60615

## Fair Economy Illinois

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Section 245.110 Definitions Section 245.1100 Suspension, Revocation, Remediation and Administrative Penalties

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## Fair Economy Illinois

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In reference to Subpart K: Enforcement

Section 245.110 Definitions Section 245.1100 Suspension, Revocation, Remediation and Administrative Penalties

This comment relates to 245.1100, administrative sanctions. I believe this section should include a provision to require IDNR to revoke the permit if the company fails to comply with sec. 1-70 of the Hydraulic Fracking Regulatory Act. These sections deal with development and testing of drilling operations, and are critical to preventing outcomes like well blowouts, fires, explosions, and pollution of groundwater, including aquifers. Companies that fail to follow these industry standard safety provisions should not be allowed to operate in Illinois.

Sincerely, Eileen Sutter 4125 North Monticello Chicago, IL 60618

## Fair Economy Illinois

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## Fair Economy Illinois

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Sincerely, Abraham Secular Chicago, IL 60615

## Fair Economy Illinois

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Sincerely, Alexandra Lynn Chicago, IL 606

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

Section 245.110 Definitions Section 245.1100 Suspension, Revocation, Remediation and Administrative Penalties

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## Fair Economy Illinois

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Sincerely, Alicia Klepfer Chicago, IL 60615

## Fair Economy Illinois

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## Fair Economy Illinois

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Sincerely, Amelia Dmouska Chciago, IL 60637

## Fair Economy Illinois

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## Fair Economy Illinois

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Sincerely, Ammar Kalimullah Chicago, IL 60637

## Fair Economy Illinois

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## Fair Economy Illinois

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Sincerely, Angela Li Chicago, IL 60637

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## Fair Economy Illinois

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Sincerely, Anica Washington Chicago, IL 60619

## Fair Economy Illinois

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Sincerely, Anna Betts Chicago, IL 60607

## Fair Economy Illinois

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Sincerely, Anne Pertner Pertner Chicago, IL 60605

## Fair Economy Illinois

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Sincerely, Ava Benezra Chicago, IL 60615

## Fair Economy Illinois

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## Fair Economy Illinois

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Sincerely, Beth Rempe Champaign, IL 61820

## Fair Economy Illinois

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Sincerely, Bianca Chamusco Chicago, IL 60615

## Fair Economy Illinois

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## Fair Economy Illinois

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Sincerely, Brandi Madrid Chicago, IL 60640

## Fair Economy Illinois

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Sincerely, Brian Menzel Chicago, IL 60608

## Fair Economy Illinois

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Sincerely, Britni Austin Chicago, IL 60605

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## Fair Economy Illinois

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Sincerely, Christian Mortensen Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

Section 245.110 Definitions Section 245.1100 Suspension, Revocation, Remediation and Administrative Penalties

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## Fair Economy Illinois

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Sincerely, Christina Scianna Chicago, IL 60605

## Fair Economy Illinois

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## Fair Economy Illinois

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Sincerely, Clara Kao Chicago, IL 60637

## Fair Economy Illinois

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## Fair Economy Illinois

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Sincerely, Colleen Dennis Chicago, IL 60605

## Fair Economy Illinois

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Sincerely, David Zask NY, IL 10128

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Sincerely, Dylan Amlin Chicago, IL 60605

## Fair Economy Illinois

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## Fair Economy Illinois

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Sincerely, Elizabeth Scrafford chicago, IL 60626

## Fair Economy Illinois

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Sincerely, Emily Huang Chicago, IL 60637

## Fair Economy Illinois

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Sincerely, Emma LaBounty Chicago, IL 60615

## Fair Economy Illinois

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## Fair Economy Illinois

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Sincerely, Emma LaBounty Chicago, IL 60615

## Fair Economy Illinois

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Sincerely, Eve Zuckerman Chicago, IL 60615

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## Fair Economy Illinois

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Sincerely, Glen Edward Litchfield Darien, IL 60561

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

Section 245.110 Definitions Section 245.1100 Suspension, Revocation, Remediation and Administrative Penalties

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## Fair Economy Illinois

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Sincerely, Grace Pai Chicago, IL 60615

## Fair Economy Illinois

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## Fair Economy Illinois

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Sincerely, Hannah Kershner Galena, IL 61036

## Fair Economy Illinois

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## Fair Economy Illinois

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## Fair Economy Illinois

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Sincerely, Joe Kapran Chicago, IL 60615

## Fair Economy Illinois

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## Fair Economy Illinois

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Sincerely, John Haggerty NYC, IL 11215

## Fair Economy Illinois

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## Fair Economy Illinois

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Sincerely, Joseph Gary New York, IL 10003

## Fair Economy Illinois

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Sincerely, Karina Hendren Chicago, IL 60637

## Fair Economy Illinois

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Sincerely, Kathryn Chapman Hamburg, IL 62045

## Fair Economy Illinois

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## Fair Economy Illinois

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Sincerely, Kristen Rosario Chicago, IL 60605

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Sincerely, Louis Clark Chicago, IL 60637

## Fair Economy Illinois

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Sincerely, Luke Dobbs Chicago, IL 60605

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Sincerely, maayan olshan Chicago, IL 60615

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## Fair Economy Illinois

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Sincerely, Mansi Kathuria Chicago, IL 60647

## Fair Economy Illinois

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Sincerely, Michael Perino Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

Section 245.110 Definitions Section 245.1100 Suspension, Revocation, Remediation and Administrative Penalties

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## Fair Economy Illinois

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Sincerely, Min Li Naperville, IL 60564

## Fair Economy Illinois

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## Fair Economy Illinois

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Sincerely, Molly Blondell Chicago, IL 60637

## Fair Economy Illinois

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Sincerely, Molly Connor Chicago, IL 60605

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## Fair Economy Illinois

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Sincerely, Nancy Penney Monticello, IL 61856

## Fair Economy Illinois

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Section 245.110 Definitions Section 245.1100 Suspension, Revocation, Remediation and Administrative Penalties

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Sincerely, Natalya Glaser Chicago, IL 60637

## Fair Economy Illinois

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## Fair Economy Illinois

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Sincerely, Nora Helfand Chicago, IL 60637

## Fair Economy Illinois

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## Fair Economy Illinois

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Sincerely, Nour Abdelmonem Chicago, IL 60637

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## Fair Economy Illinois

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Sincerely, Peter Dompke Belleville, IL 62221

## Fair Economy Illinois

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## Fair Economy Illinois

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Sincerely, Sara Buck Chicago, IL 60640

## Fair Economy Illinois

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Sincerely, Sarah Quesnell Chicago, IL 60605

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Sincerely, Sasha Mitrofanenko Chicago, IL 60605

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## Fair Economy Illinois

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## Fair Economy Illinois

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Sincerely, Sophia Johnson Chicago, IL 60605

## Fair Economy Illinois

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Sincerely, Stanley Archacki Westmont, IL 60559

## Fair Economy Illinois

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Sincerely, Ta Promlee Chicago, IL 60645

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We can find no instance where permit revocation is specified for the most serious and willful violations of the Act even though such violations "constitute a serious threat to the public interest, safety, or welfare" of Illinois citizens" [5 ILCS 100/5-115(a)]. We believe this omission is an "incomplete" and "deficient" act of rulemaking [5 ILCS 100/5- 100(d)]. Section 245.1100 states that the Department may revoke for a wide variety of infractions: "The Department may, through the enforcement process set forth in this Subpart, suspend or revoke a high volume horizontal hydraulic fracturing permit, order actions to remediate, or issue administrative penalties for one or more of the following causes..." The rules are too lax when the violation involves failing to follow guidelines when building/developing a well or testing its integrity. In those circumstances, the rules should require mandatory revocation of the permit. Rationale: Provisions in Section 1-70 of the Hydraulic Fracturing Regulatory Act (Well preparation, construction, and drilling) require adherence to the American Petroleum Institute (API) standards when developing and testing oil and gas wells. A strong case can be made that these are the most important sections in the law because their objective is to reduce the risks of well blowouts, fires and explosions along with the attendant risks of injury or death to workers, adverse public health outcomes to nearby residents, and the pollution of groundwater, air, and soil. There are reasons why failure to adhere to section 1-70 must result in permit revocation: - If well operators shortcut the well development standards in Sec. 1-70 or if the well fails any of the required tests in Sec. 1-70, the adverse events cited above become much more likely. Pollution of aquifers is also much more likely and this pollution can be easily overlooked. - Other states have experienced major problems with some rogue companies that systematically and persistently engage in high-risk, cost-cutting violations of regulations, such as these. If some companies are allowed to violate Section 1-70, others will follow their lead. - It was the violation of the provisions in Sec. 1-70 that led to the Deepwater Horizon explosion in the Gulf of Mexico on 20 April 2010. That explosion claimed 11 lives and led to the largest environmental disaster in American History. Some sections of the law are so important that the only appropriate response is automatic permit revocation. In our estimation, Act § 1-70(d) & (e) and Rules § 245.520 through § 245.580 are the most important sections in the law. If a well is shoddily constructed and/or fails to meet mechanical integrity standards given by the American Petroleum Institute, lots of very bad things can happen. Imagine motorists driving cars with brakes that don't work, shocks that are shot, and a steering wheel that cannot keep the car in one lane. Accidents will happen in this inherently dangerous industry, but this instance of regulatory abdication ensures that lots of very costly, unnecessary, and harmful accidents will happen. The objective of this section of the law and rules is to reduce the risks of well blowouts, fires and explosions, along with the attendant risks of injury or death to workers, adverse public health outcomes to nearby residents, and the pollution of groundwater, air, and soil. Consider only these three examples: 665-689. Dick Bilodeau, Deb Thomas and 24 other families (<http://pennsylvaniaallianceforcleanwaterandair.wordpress.com/the-list/>) Location: Clark, WY Gas

## Fair Economy Illinois

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Sincerely, Westin Campo Chicago, IL 60608

## Fair Economy Illinois

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Sincerely, William Thomas Chicago, IL 60637

## Fair Economy Illinois

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Sincerely, William Toole Godfrey, IL 62035

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1110 Notice of Violation

For regulations to work, levied fines must exceed the financial benefit a company gains by violating the rules. None of the rulemaking sanctions meet this criterion. This results in the other 150 pages of rules being essentially meaningless because they will be ignored. The draft rule sanctions place the Hydraulic Fracturing Regulatory Act (HFRA) on the road to failure before the first permit is issued. Examples: Section 1-100(b) of the law specifies misdemeanor and felony criminal charges for a number of violations of the law. Yet there are NO criminal charges in the rules. In Section 1-60(a)1-6 of the law, there are six (6) grounds for suspension or revocation of a permit. These are re-listed with a 7th in section 245.1100 of the rules. But the very next section of the Rules--245.1110--reduces the grounds for an immediate permit suspension to one: "an emergency condition posing a significant hazard to the public health, aquatic life, wildlife or the environment." This is the most stringent requirement of the seven grounds listed in section 245.1100. Why bother to list seven possible grounds for permit suspension or revocation in section 245.1100 if you then require the Department to identify the most stringent criteria for an immediate suspension. Section 1-60(b) of the law requires a much lower standard of proof to suspend, revoke or deny a permit than the rules (245.1110). Under the law, the Department need only serve notice of its action (to suspend, revoke or deny), including a statement of the reasons for the action. In the law, if a well operator's permit has been suspended, the burden of proof is on well operator to prove that the identified problem is "no significant threat to public health, aquatic life, wildlife, or the environment" [Section 1-60(d)]. In the rules, this phrase becomes something IDNR must prove before ordering a permit suspension [Rule Section 245.1100(b)3A]. Sections 1-100 and 1-101 of the law have some stiff penalties that accrue on a daily basis until the reason for the fine is corrected. These fines can go as high as \$50,000 per violation and up to \$10,000 per day. These are replaced by fines so trivial (\$50-\$2500) that it will cost the IDNR more to impose and collect a fine than the dollar value of the fine itself. Revisions Needed: Return to the standards of the law with regard to fines, penalties and revocations.

Sincerely, Raymond D. Gayton 453 Tahoe Street Park Forest, IL 60466

## Fair Economy Illinois

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## Fair Economy Illinois

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In reference to Subpart K: Enforcement

Section 245.1120 Director's Decision

IDNR proposes to fine violators of the rules from \$50 (less than a typical traffic ticket) to \$2500 dollars per violation, up to \$1000 for actually causing environmental harm, and up to \$2000 for "creating a hazard to the safety of any person". Keep in mind these are fines for companies making potentially tens of millions of dollars — or in many cases — even more. Note that the top 5 oil and gas producers — Exxon-Mobil, Shell, Chevron, BP, and Conoco Phillips — made 118.1 billion in profits last year; in the last decade alone they have brought in over 1 trillion in profits. Where is there deterrence in these penalties for the inevitable "accidents"? Let us answer that: there is none.

Sincerely, B. E. Murphy 458 Tahoe Park Forest, IL 60466

## Fair Economy Illinois

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## Fair Economy Illinois

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### Section 245.1120 Director's Decision

Corporations exist for one purpose: profit. Big banks, fossil fuel companies, all sorts of companies have throughout history have broken laws, poisoned our environment, and endangered human lives for the sake of profit. The only way to ensure corporations follow the law and protect us and our environment is to make it more expensive to break the law than it is to follow the law. The rules drafted by the IDNR contain minimal fines on corporations for very serious violations of human and environmental safety. Fines start at a token \$50 per violation and only go up to \$2500 violation (Sec. 245.200). In fact, the fines in the rules are technically lower than the daily fines specified in the original legislation. Furthermore, Sec. 245.1120 discounts violations from companies if they are more than 2 years old. There is no reason violations should expire in this manner. The same section (Sec. 245.1120(i)) also inappropriately limits the Director IDNR's actions to simply relaxing the terms of prior decisions. This would severely limit the Director's ability to impose more stringent penalties as a tradeoff for relaxing other terms. The top 5 producers of oil and gas made over 118 billion in profits last year. A \$50 or \$2500 fine will not slow these corporations down. This is akin to police stopping someone for speeding through a construction zone and hitting a worker and then writing them a ticket for 5 cents. The cost of polluting the groundwater of over 800,000 Illinoisans, the cost of illness and cancer caused by contaminated water and air, the cost of brain damage caused by toxic fumes -- these should be reflected in the fines. The costs of violations of the rules need to be higher than the millions of dollars in profits that corporations stand to gain from fracking our water and land.

Sincerely, Kelvin Ho 736 W. 43rd St. (Apt. 3) Chicago, IL 60609



## Fair Economy Illinois

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In reference to Subpart K: Enforcement

Section 245.1120 Director's Decision

Fines are structured into laws to discourage individuals and companies from doing harm to society. When fines are as ridiculously low as the ones IDNR proposes, they have no effect at all. Didn't we learn anything from the housing crisis and the resulting financial meltdown? When it is more profitable for a company to break the law and pay a fine than for the company to follow the law and not pay a fine, it is inevitable that the company will do what is most profitable for them.

Sincerely, ron kurowski tinley park, IL 60477

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

From the rules: "When an application is made to frack a well site located within the limits of any city, village or incorporated town, the application shall state the name of the city, village, or incorporated town and be accompanied with a certified copy of the official consent for the high volume horizontal hydraulic fracturing operations to occur from the municipal authorities where the well site is proposed to be located. No permit shall be issued unless consent is secured and filed with the permit application." This is excellent for municipalities, but what about counties? - The intent of the legislation was to recognize that local units of government should have decision-making power regarding whether to allow fracking in their jurisdictions. - This section demonstrates blatant disregard for the realities of the geography of fracking in Illinois regarding cities compared to counties. Little if any fracking is anticipated within the cities of Carbondale, Marion, Decatur or other metro areas affected by the majority of fracking land leases. If prior notification and an intentional process of permitting is important for metropolitan communities, why are the proposed rules silent regarding neighborhoods in counties and the families living there? - There is no substantive difference between a municipal or county government in Illinois in its powers other than the issue of Illinois Constitutional Home Rule. However, the lack of county Home Rule has never preempted a county power to issue permits on mineral or oil extraction. Numerous county governments have long histories and traditions in the permitting process regarding mineral and drilling industries. As the current fracking law is largely silent on the issue of county control, IDNR rules should err on the side of history and citizen decision-making. - Counties and municipalities of government tax, employ law enforcement, provide social services and infrastructure. The rules provide no explanation why citizens residing in counties of Illinois should have less input regarding fracking permits. The regulatory differentiation between the rights of residents in municipalities vs. counties creates a group of second class citizens. These second class citizens have fewer rights in their ability to participate and ultimately determine the type and quality of energy extraction allowed in their neighborhoods. - There is no reasonable expectation that the personnel at IDNR have any better or more clear understanding of the will of citizens in counties regarding fracking permits than the residents themselves. As the proposed IDNR rules envision municipalities empowered to decide fracking sites, what possible argument does IDNR have that it is better equipped or knowledgeable on the needs of residents living in Illinois counties?

Sincerely, Gus Novoa Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

Section 245.1120 Director's Decision

How can the IDNR effectively monitor the adverse affects of mining? Is your goal to serve the gas and oil industry or the citizens of Illinois? My guess is that you are following the money and I am afraid that decision will have grave repercussions. Who will be accountable as we evolve into another Pennsylvania or Wisconsin mirroring the same fracing and frac sand horror stories that have come out of those states? Why would an entity as large as the fracing industry be concerned about the measly fines that they are given for environmental accidents. To them these fines are just part of doing business as usual. The monetary rewards they accrue far outweigh the cost to the environment or the tiny dents the fines make in their bottom line.

Sincerely, Joy Konczak 1116 N 2803 Rd Utica, IL 61373

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

Section 245.1120 Director's Decision

I agree! They are just looking at it as a cost of business. It's not a deterrent. Please INCREASE massively!!!!

Sincerely, Anne Heaton 715 Forest Avenue Wilmette, IL 60091

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

Section 245.1120 Director's Decision

iDNR identifies the definition of an "Affected patient" as "a person receiving health care services from a health professional for an illness or injury diagnosed by the health professional to be caused by exposure to any chemicals used in high volume horizontal hydraulic fracturing operations that are subject to a claim of trade secret by a permittee or contractor." PROBLEM – This definition is circular: in order to learn what chemical was used, a physician must first test for it so he can prove he has a right to disclosure of the proprietary chemical. How can a doctor diagnose exposure to a secret chemical used in high volume fracking before he knows which chemicals to test for?

Sincerely, Gus Novoa Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

IDNR proposes to fine violators of the rules from \$50 (less than a typical traffic ticket) to \$2500 dollars per violation, up to \$1000 for actually causing environmental harm, and up to \$2000 for "creating a hazard to the safety of any person". Keep in mind these are fines for companies making potentially tens of millions of dollars — or in many cases — even more. Note that the top 5 oil and gas producers — Exxon-Mobil, Shell, Chevron, BP, and Conoco Phillips — made 118.1 billion in profits last year; in the last decade alone they have brought in over 1 trillion in profits. Where is there deterrence in these penalties for the inevitable "accidents"? Let us answer that: there is none. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Adriana Caballero Oak Park, IL 60302

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

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Sincerely, Andrew Hwang Chicago, IL 60615

## Fair Economy Illinois

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Sincerely, Brent Ritzel 810 N. Springer St. Carbondale, IL 62901

## Fair Economy Illinois

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Sincerely, Brianna Tong 5122 S University Ave (#1) Chicago, IL 60615

## Fair Economy Illinois

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Sincerely, Bruce Anderson Rolling Meadows, IL 60008

## Fair Economy Illinois

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Sincerely, Elizabeth A. Cerny 7728 Williams St. Downers Grove, IL 60516



## Fair Economy Illinois

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In reference to Subpart K: Enforcement

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Sincerely, Erin Carman-Sweeney 41 Caretaker Rd Makanda, IL 62958

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Sincerely, Garrick Balk 236 Prairie Street South Elgin, IL 60177-1528

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

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Sincerely, Genarose Buechler Red Bud, IL 62278

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Sincerely, Gianna Chacon 525 South State Street (Apt. 1326) Chicago, IL 60605

## Fair Economy Illinois

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Sincerely, Gus Novoa Chicago, IL 60637

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Sincerely, Jan A Pietrzak 12031 S 72nd Ct Palos Heights, IL 60463

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Sincerely, Jay Keating 17007 S 82nd Avenue tinley park, IL 60477

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Sincerely, joann conrad 13 red oak lane springfield, IL 62712

## Fair Economy Illinois

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Sincerely, Kathryn Chapman Hamburg, IL 62045

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Sincerely, Keri Curtis Peru, IL 61354

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Sincerely, Lindsay Paulus Wheaton , IL 60187



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Sincerely, Marissa Godlewski Carbondale, IL 62901

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Sincerely, Matt Steffen Lake Zurich, IL 60047

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Sincerely, Natalya Glaser Chicago, IL 60637

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Sincerely, Norma Claire Moruzzi Chicago, IL 60640

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Sincerely, Paloma Delgadillo Plano, TX 75075

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IDNR proposes to fine violators of the rules from \$50 (less than a typical traffic ticket) to \$2500 dollars per violation, up to \$1000 for actually causing environmental harm, and up to \$2000 for "creating a hazard to the safety of any person". Keep in mind these are fines for companies making potentially tens of millions of dollars — or in many cases — even more. Note that the top 5 oil and gas producers — Exxon-Mobil, Shell, Chevron, BP, and Conoco Phillips — made 118.1 billion in profits last year; in the last decade alone they have brought in over 1 trillion in profits. Where is there deterrence in these penalties for the inevitable "accidents"? Let us answer that: there is none. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Panelli Juliana 12051 Mackinac Rd Homer Glen, IL 60491



## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

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## Fair Economy Illinois

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Sincerely, Raj Kapoor Oak Park, IL 60302

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

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Sincerely, Richard Fedder Carbondale, IL 62901

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

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Sincerely, Rob Ginger 5 South Lincoln Ave Addison, IL 60101

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

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Sincerely, Roderick Luke Chan 5454 S Ingleside Ave Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

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Sincerely, Rohit Satishchandra University of Chicago (5630 S. University Avenue) Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

Section 245.1120 Director's Decision

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Sincerely, Tyler Hansen Oak Park, IL 60304

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

Section 245.1120 Director's Decision

IDNR proposes to fine violators of the rules from \$50 (less than a typical traffic ticket) to \$2500 dollars per violation, up to \$1000 for actually causing environmental harm, and up to \$2000 for "creating a hazard to the safety of any person". These fines would be merely a "slap on the hand". Hardly a deterrence to a company raking in millions!

Sincerely, M Alan Wurth Red Bud, IL 62278

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

Section 245.1120 Director's Decision

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## Fair Economy Illinois

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In reference to Subpart K: Enforcement

Section 245.1120 Director's Decision

IDNR proposes to fine violators of the rules from \$50 (less than a typical traffic ticket) to \$2500 dollars per violation, up to \$1000 for actually causing environmental harm, and up to \$2000 for "creating a hazard to the safety of any person. The fines are ridiculously low. Fracksters are already exempt from the EPA Safe Drinking Water Act 2005 thanks to Dick Cheney and Joe Barton, sponsor of The Energy Act Policy 2005. Is the IDNR capable of monitoring the violations? Can one really put a price tag on depleted water tables, toxic waste water linking from wells, and land that is left looking like a moonscape?

Sincerely, Stephanie Bilenko LaGrange Park, IL 60526

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

Section 245.1120 Director's Decision

idnr, stop being corrupt. do your job. protect the people. ban fracking

Sincerely, bob coshocton, OH 43812

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

Section 245.1120 Director's Decision

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Sincerely, bob coshocton, OH 43812

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

Illinois citizens pay more for speeding, violating parking ordinances, or even losing a library book than many of these corporations would pay for violating IDNR regulations. Often times, these fines on regular people are not sufficient deterrents to the undesired behavior. How are we to expect that these fines will deter corporations, whose pocket books are much deeper, from illegal activity? This is unacceptable. IDNR proposes to fine violators of the rules from \$50 (less than a typical traffic ticket) to \$2500 dollars per violation, up to \$1000 for actually causing environmental harm, and up to \$2000 for "creating a hazard to the safety of any person". These companies make tens of millions of dollars or more. The top 5 oil and gas producers — Exxon-Mobil, Shell, Chevron, BP, and Conoco Phillips — made 118.1 billion in profits last year; in the last decade alone they have brought in over 1 trillion in profits. Where is there deterrence in these penalties for the inevitable "accidents"? Let us answer that: there is none. An industry making millions of dollars in profits must pay fines that are actually deterrents to illegal activity.

Sincerely, Maryann Condren Naperville, IL 60540



## Fair Economy Illinois

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In reference to Subpart K: Enforcement

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Sincerely, Scott Condren Chicago , IL 60608

## Fair Economy Illinois

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Sincerely, Scott Condren Chicago , IL 60608

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Sincerely, Scott Condren Chicago , IL 60608

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## Fair Economy Illinois

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In reference to Subpart K: Enforcement

Section 245.1120 Director's Decision

in section 245.1120 the fines for violations of the regulations are extremely low considering the permit applicants are making billions of dollars a year. This creates no incentive for the industry to adhere to any sort of standard. However, any fine proposed would completely undermine the external costs and the people that have to deal with them. And although fracking cannot be made safe by any means, fines should be in the millions or billions of dollars. A billion dollars may seem harsh, but when we are dealing with highly toxic chemicals that can kill people. Peoples lives, whole economies and much more are at stake. I will end with saying PLEASE DON'T FRACK MY LAND!

Sincerely, sam schall 104 w mill st carbondale, IL 62901

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

Legal issues: We can find no instance where permit revocation is specified for the most serious and willful violations of the Act even though such violations "constitute a serious threat to the public interest, safety, or welfare" of Illinois citizens" [5 ILCS 100/5-115(a)]. We believe this omission is an "incomplete" and "deficient" act of rulemaking [5 ILCS 100/5-100(d)]. In addition, the civil penalties in the Act [§1-60], namely = $\$50,000$  per violation + an additional  $\$10,000$  per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at  $\$50$  and increasing to  $\$500$  for =4 violations. Operating violations begin at  $\$100$  and increase to  $\$1,000$  for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." Implications: The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Consequences: Some sections of the law are so important that the only appropriate response is automatic permit revocation. In our estimation, Act § 1-70(d) & (e) and Rules § 245.520 through § 245.580 are the most important sections in the law. If a well is shoddily constructed and/or fails to meet mechanical integrity standards given by the American Petroleum Institute, lots of very bad things can happen. Imagine motorists driving cars with brakes that don't work, shocks that are shot, and a steering wheel that cannot keep the car in one lane. Accidents will happen in this inherently dangerous industry, but this instance of regulatory abdication ensures that lots of very costly, unnecessary, and harmful accidents will happen. The objective of this section of the law and rules is to reduce the risks of well blowouts, fires and explosions, along with the attendant risks of injury or death to workers, adverse public health outcomes to nearby residents, and the pollution of groundwater, air, and soil. Consider only these three examples: 665-689. Dick Bilodeau, Deb Thomas and 24 other families (<http://pennsylvaniaallianceforcleanwaterandair.wordpress.com/the-list/>) Location: Clark, WY Gas Facility: Windsor Energy gas wells Exposure: Air - 5 million to 7 million cubic feet of gas was discharged into the air during the 58-hour incident; water- benzene, acetone, carbon disulfide and others Symptoms: 25 homes were evacuated, Fort Union bedrock aquifer polluted, the blowout resulted in a 10 million cubic foot plume of groundwater contamination, or more than 100 Olympic- size swimming pools worth. <http://billingsgazette.com/news/state-and-regional/wyoming/clark->

## Fair Economy Illinois

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residentsventfrustrations- with-deq-windsor-energy/article\_0c71af95-69f7-55e9-85c1-80d5891e528a.html

[http://www.earthworksaction.org/media/detail/drilling\\_contamination\\_spreads\\_as\\_polluters\\_bankruptcy\\_looms](http://www.earthworksaction.org/media/detail/drilling_contamination_spreads_as_polluters_bankruptcy_looms) [http://trib.com/news/state-and-regional/article\\_cea4bf57-e246-5acf-ac9d-8c5587ef7f83.html](http://trib.com/news/state-and-regional/article_cea4bf57-e246-5acf-ac9d-8c5587ef7f83.html) 698-748. Fifty residents evacuated Location: Converse County, WY Gas Facility:

Chesapeake Gas well blowout Exposure: Water; air - well vented 2 million cubic feet of gas and 31,500 gallons of oil based drilling "mud" over three days Symptoms: Evacuation of homes

[http://trib.com/news/state-and-regional/report-mechanical-failure-worker-error-caused-chesapeake-gas-well-blowout/article\\_6c1ed0be-9ab8-11e1-a91b-0019bb2963f4.html](http://trib.com/news/state-and-regional/report-mechanical-failure-worker-error-caused-chesapeake-gas-well-blowout/article_6c1ed0be-9ab8-11e1-a91b-0019bb2963f4.html) [http://trib.com/news/state-and-regional/residents-near-wyoming-gas-well-blowout-asked-to-evacuate/article\\_aba5a4e2-0c3e-59f8-bdce-f7c9f496fdf0.html](http://trib.com/news/state-and-regional/residents-near-wyoming-gas-well-blowout-asked-to-evacuate/article_aba5a4e2-0c3e-59f8-bdce-f7c9f496fdf0.html)

The Deepwater Horizon blowout and explosion at British Petroleum's Macondo well. This explosion claimed 11 lives and caused the worst environmental disaster in American history. This disaster was caused by shoddy well construction (e.g., inadequate cementing) and failure to pay heed to mechanical integrity tests. Recommendations: 1. Require automatic permit revocation for violating well construction standards or disregarding failed well integrity tests. 2. Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Kelvin Ho 736 W. 43rd St. (Apt. 3) Chicago, IL 60609

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

Section 245.1120 Director's Decision

Number of draft regulations proposed by Illinois Dept. of Natural Resources describing safety measures regarding tornado strikes on fracking sites: ZERO. Number of tornadoes in Illinois in the last 10 years: 674. Historically, the number and intensity of tornadoes in Illinois is very high. "In fact, Illinois has experienced some of the worst tornadoes in US history." Dr. Jim Angel, Illinois State Climatologist. Every county in Illinois has had multiple tornadoes as demonstrated by the maps in the following links:  
<http://www.isws.illinois.edu/atmos/statecli/tornado/ilmaps.htm>  
[http://www.isws.illinois.edu/atmos/statecli/tornado/NewMaps/MRCC\\_TornadoTracks\\_1950.png](http://www.isws.illinois.edu/atmos/statecli/tornado/NewMaps/MRCC_TornadoTracks_1950.png) A big swath of Washington, IL was flattened by a tornado on Sunday, 11/17/13. What would have happened if this tornado had hit an area of the state covered in fracking sites? Debris from the tornado has been found over 150 miles away. Imagine if that debris had included "temporarily" stored flowback water or tanks filled with frack fluid or produced water!

Sincerely, Gus Novoa Chicago, IL 60637



## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

Section 245.1100 states that the Department may revoke for a wide variety of infractions: "The Department may, through the enforcement process set forth in this Subpart, suspend or revoke a high volume horizontal hydraulic fracturing permit, order actions to remediate, or issue administrative penalties for one or more of the following causes..." The rules are too lax when the violation involves failing to follow guidelines when building/developing a well or testing its integrity. In those circumstances, the rules should require mandatory revocation of the permit. Rationale: Provisions in Section 1-70 of the Hydraulic Fracturing Regulatory Act (Well preparation, construction, and drilling) require adherence to the American Petroleum Institute (API) standards when developing and testing oil and gas wells. A strong case can be made that these are the most important sections in the law because their objective is to reduce the risks of well blowouts, fires and explosions along with the attendant risks of injury or death to workers, adverse public health outcomes to nearby residents, and the pollution of groundwater, air, and soil. There are reasons why failure to adhere to section 1-70 must result in permit revocation: - If well operators shortcut the well development standards in Sec. 1-70 or if the well fails any of the required tests in Sec. 1-70, the adverse events cited above become much more likely. Pollution of aquifers is also much more likely and this pollution can be easily overlooked. - Other states have experienced major problems with some rogue companies that systematically and persistently engage in high-risk, cost-cutting violations of regulations, such as these. If some companies are allowed to violate Section 1-70, others will follow their lead. - It was the violation of the provisions in Sec. 1-70 that led to the Deepwater Horizon explosion in the Gulf of Mexico on 20 April 2010. That explosion claimed 11 lives and led to the largest environmental disaster in American History. Automatic permit revocation for violations of Sec. 1-70 could prove to be one of the more effective ways to ensure higher levels of safety and environmental protection in areas where fracking will occur. If the IDNR is not serious about strict enforcement of Sections 245-520/580, then it has already nullified one of the most important set of regulatory standards for the oil and gas industry.

Sincerely, Gus Novoa Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

Section 245.1100 states that the Department may revoke for a wide variety of infractions: "The Department may, through the enforcement process set forth in this Subpart, suspend or revoke a high volume horizontal hydraulic fracturing permit, order actions to remediate, or issue administrative penalties for one or more of the following causes..." The rules are too lax when the violation involves failing to follow guidelines when building/developing a well or testing its integrity. In those circumstances, the rules should require mandatory revocation of the permit. Rationale: Provisions in Section 1-70 of the Hydraulic Fracturing Regulatory Act (Well preparation, construction, and drilling) require adherence to the American Petroleum Institute (API) standards when developing and testing oil and gas wells. A strong case can be made that these are the most important sections in the law because their objective is to reduce the risks of well blowouts, fires and explosions along with the attendant risks of injury or death to workers, adverse public health outcomes to nearby residents, and the pollution of groundwater, air, and soil. There are reasons why failure to adhere to section 1-70 must result in permit revocation: - If well operators shortcut the well development standards in Sec. 1-70 or if the well fails any of the required tests in Sec. 1-70, the adverse events cited above become much more likely. Pollution of aquifers is also much more likely and this pollution can be easily overlooked. - Other states have experienced major problems with some rogue companies that systematically and persistently engage in high-risk, cost-cutting violations of regulations, such as these. If some companies are allowed to violate Section 1-70, others will follow their lead. - It was the violation of the provisions in Sec. 1-70 that lead to the Deepwater Horizon explosion in the Gulf of Mexico on 20 April 2010. That explosion claimed 11 lives and led to the largest environmental disaster in American History. Automatic permit revocation for violations of Sec. 1-70 could prove to be one of the more effective ways to ensure higher levels of safety and environmental protection in areas where fracking will occur. If the IDNR is not serious about strict enforcement of Sections 245-520/580, then it has already nullified one of the most important set of regulatory standards for the oil and gas industry.

Sincerely, Gus Novoa Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

Section 245.1120 Director's Decision

Suggested Comment: IDNR proposes to fine violators of the rules from \$50 (less than a typical traffic ticket) to \$2500 dollars per violation, up to \$1000 for actually causing environmental harm, and up to \$2000 for "creating a hazard to the safety of any person". Keep in mind these are fines for companies making potentially tens of millions of dollars — or in many cases — even more. Note that the top 5 oil and gas producers — Exxon-Mobil, Shell, Chevron, BP, and Conoco Phillips — made 118.1 billion in profits last year; in the last decade alone they have brought in over 1 trillion in profits. Where is there deterrence in these penalties for the inevitable "accidents"? Let us answer that: there is none

Sincerely, Andrew Panelli 12051 Mackinac Rd Homer Glen, IL 60491

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

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Sincerely, Harry Li 2656 Boddington Lane Naperville, IL 60564

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

Section 245.1120 Director's Decision

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Sincerely, Harry Li 2656 Boddington Lane Naperville, IL 60564

## Fair Economy Illinois

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Sincerely, Jonny Behrens Warrenville, IL 60555

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Sincerely, Mary Ellen Barbezat Elgin, IL 60120

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Sincerely, Mike Reed Box 421 Sheridan, IL 60551

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Sincerely, Patricia L. Dalke Chicago, IL 60645

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Sincerely, Sandra Nickerson West Dundee, IL 60118

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The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, , IL

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

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In reference to Subpart K: Enforcement

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Sincerely, Abby Dompke Chicago, IL 60607

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

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Sincerely, Aija Nemer-Aanerud Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

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Sincerely, Alex Farrenkopf Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

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Sincerely, Alonzo Cummins Chicago, IL 60612

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Sincerely, Amelia Dmouska Chciago, IL 60637

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Sincerely, Ammar Kalimullah Chicago, IL 60637



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Sincerely, Anica Washington Chicago, IL 60619

## Fair Economy Illinois

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Sincerely, Benjamin Boyajian Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Benjamin Boyajian Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Beth Rempe Champaign, IL 61820

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Beth Rempe Champaign, IL 61820



## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Beth Rempe Champaign, IL 61820

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

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Sincerely, Breanna Champion Chicago, IL 60616

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Brian Menzel Chicago, IL 60608

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

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Sincerely, Brian Menzel Chicago, IL 60608

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

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Sincerely, Bruce Ostdick Elgin, IL 60123

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Camil Machaj Lemont, IL 60439

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

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Sincerely, Camil Machaj Lemont, IL 60439

## Fair Economy Illinois

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Sincerely, Christian Mortensen Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

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Sincerely, Cindy Chung Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Dakota Dompke Belleville, IL 62221

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

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Sincerely, Dan Perry Chicago, IL 60657

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

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Sincerely, Dan Perry Chicago, IL 60657

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

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Sincerely, Dan Perry Chicago, IL 60657

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

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Sincerely, David Klawitter Chicago, IL 60607

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

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Sincerely, David Zask NY, IL 10128



## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, David Zask NY, IL 10128

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Diamond Hartwell Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Donovan Snyder Snyder Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

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Sincerely, Donovan Snyder Snyder Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

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Sincerely, Donovan Snyder Snyder Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

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Sincerely, Donovan Snyder Snyder Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

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Sincerely, Dylan Amlin Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Dylan Busser Chicago, IL 60647



## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, E Zemin Champaign, IL 61821

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

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Sincerely, E Zemin Champaign, IL 61821

## Fair Economy Illinois

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Sincerely, Edith Villavicencio New York, IL 10003

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

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## Fair Economy Illinois

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In reference to Subpart K: Enforcement

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Sincerely, Emerson Delgado Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

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Sincerely, Emilio Joseph Comay del Junco Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

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Sincerely, Emily Huang Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

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Sincerely, Erik Ontiveros Chicago, IL 60605



## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

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Sincerely, France's Hoffman Chicago, IL 60657

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

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Sincerely, France's Hoffman Chicago, IL 60657

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

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Sincerely, Francis Beach Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Frank Pettis Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

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Sincerely, Gianna Chacon Chicago, IL 60605

## Fair Economy Illinois

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Sincerely, Gianna Chacon Chicago, IL 60605

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Sincerely, Girwana Baker Chicago, IL 60605



## Fair Economy Illinois

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Sincerely, Glen Edward Litchfield Darien, IL 60561

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In reference to Subpart K: Enforcement

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Sincerely, Harry Li Naperville, IL 60564

## Fair Economy Illinois

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Sincerely, Jady YTolda Chicago, IL 60637

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Sincerely, Jeff Engstrom Urbana, IL 61801

## Fair Economy Illinois

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Sincerely, Jesse Silliman Chicago, IL 60615



## Fair Economy Illinois

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Sincerely, Jessica Green Chicago, IL 60637

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Sincerely, Joe Kapran Chicago, IL 60615

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Sincerely, Joey Knotts Chicago, IL 60605

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Sincerely, Johh Haggerty NYC, IL 11215

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The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Jonny Gill Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Jorge Sanchez Chicago, IL 60637



## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Joseph Gary New York, IL 10003

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Kaijie Wang Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Kaijie Wang Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

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Sincerely, Karina Hendren Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Karina Hendren Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

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Sincerely, Kathy Machaj Chicago, IL 60607

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Katie Lettie Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

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Sincerely, Kayli Horne Chicago, IL 60615



## Fair Economy Illinois

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In reference to Subpart K: Enforcement

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Sincerely, Ken Buck Naperville, IL 60540

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

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Sincerely, Kiehlor Mack Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

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Sincerely, Kiehlor Mack Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

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Sincerely, Kristen Rosario Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

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Sincerely, Lavine Hemlani Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

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Sincerely, Leilani Douglas Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

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Sincerely, Liza Pono Chicago, IL 60616

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

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Sincerely, Luke Dobbs Chicago, IL 60605



## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

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Sincerely, Luke Dobbs Chicago, IL 60605

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Lupita Carrasquillo Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Luz Magdaleno Chicago, IL 60632

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Luz Magdaleno Chicago, IL 60632

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

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Sincerely, Maheema Haque Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Maheema Haque Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

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Sincerely, Mansi Kathuria Chicago, IL 60647

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Mansi Kathuria Chicago, IL 60647



## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

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Sincerely, Mansi Kathuria Chicago, IL 60647

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

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Sincerely, Mansi Kathuria Chicago, IL 60647

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

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Sincerely, Mansi Kathuria Chicago, IL 60647

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

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Sincerely, Maryann Condren Naperville, IL 60540

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Maryann Condren Naperville, IL 60540

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Maryann Condren Naperville, IL 60540

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

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Sincerely, Matthew Raigosa Chicago, IL 60608

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Michael Perino Chicago, IL 60637



## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Michelle Mejia Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Mike Benz Chicago, IL 60645

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Nick Phillips Evanston, IL 60201

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

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## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Nora Helfand Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Nora Helfand Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Olivia Stovicek Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Paulo Nacimiento Chicago, IL 60637



## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Preethi Sekhar Naperville, IL 60564

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Preethi Sekhar Naperville, IL 60564

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Rachel Baker Chicago, IL 60625

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Rachel Baker Chicago, IL 60625

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Rachel Katz Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Rachel Katz Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Rachel Pinker Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Raj Kapoor Oak Park, IL 60302



## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Ramon Valladarez Chicago, IL 60642

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Ramon Valladarez Chicago, IL 60642

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Ramon Valladarez Chicago, IL 60642

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Rebecca Quesnell Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Reed Mershon Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Roberta Weiner Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Roberta Weiner Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Roberta Weiner Chicago, IL 60637



## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Roderick Luke Chan Chicago, IL 60615

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Ron Yehoshua Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Ryan Kidman Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Ryn Grantham Grantham Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Sam Vexler Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Sam Vexler Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

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Sincerely, Sam Vexler Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

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Sincerely, Samantha Martin Chicago, IL 60605



## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

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Sincerely, Sandeep Malladi Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

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Sincerely, Sara Buck Chicago, IL 60640

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

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Sincerely, Sarah Kindt Chicago, IL 60607

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

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Sincerely, Sarah Kindt Chicago, IL 60607

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

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Sincerely, Sarah Kindt Chicago, IL 60607

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

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Sincerely, Schuyler Sanderson Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

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Sincerely, Schuyler Sanderson Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

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Sincerely, Scott Condren Chicago, IL 60608



## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

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Sincerely, Scott Condren Chicago, IL 60608

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

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Sincerely, Shaden Amara Naperville, IL 60564

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Shawn Mukherji Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Shawn Mukherji Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

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Sincerely, Shrabya Timinsia Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Simone Serhan Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Sloane Moore River Forest, IL 60305

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Sloane Moore River Forest, IL 60305



## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

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Sincerely, Sloane Moore River Forest, IL 60305

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

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Sincerely, Sophia Johnson Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Sophia Johnson Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

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Sincerely, Stanley Archacki Westmont, IL 60559

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Ta Promlee Chicago, IL 60645

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Tim Law Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

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Sincerely, Tommy Talley Chicago, IL 60617

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

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Sincerely, Tori Root Naperville, IL 60564



## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Tybee McLaughlin Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

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Sincerely, Tybee McLaughlin Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

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Sincerely, Tybee McLaughlin Chicago, IL 60605

## Fair Economy Illinois

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Sincerely, Tybee McLaughlin Chicago, IL 60605

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

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Sincerely, Virginia Baker Chicago, IL 60608

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

### Section 245.1120 Director's Decision

The civil penalties in the Act [§1-60], namely = \$50,000 per violation + an additional \$10,000 per day of violation, is absent from the rules. In their place are discretionary administrative rules violations beginning at \$50 and increasing to \$500 for =4 violations. Operating violations begin at \$100 and increase to \$1,000 for =4 violations. How this discretionary power is to be "affirmed, vacated or modified" is stated in vague, general language and therefore lacks the "precise" and "clear" standards required under 5 ILCS 100/5-20. All in all, we believe these rules represent a troubling and exceptionally consequential effort to "limit the scope of the law." The fundamental principle in any regulatory regime is to employ sufficiently costly sanctions that Company A will not undercut Companies B thru X by polluting with impunity. If the fines or sanctions are trivial, Company A will pollute with abandon because it gains a price advantage over all other companies who play by the rules. The end result is regulatory abdication: every company violates the rules because it is the only way to remain economically competitive. By way of example, imagine a motorist who, speeding at 90 mph, hits a worker in an interstate construction zone. The State Police pull him over and give him a 5¢ ticket. The motorist's response? Once the officer is out of sight, resume driving at 90 mph. In summary: these instances of rulemaking eviscerate PA98-0022. It is stripped of meaningful sanctions and can therefore no longer function as a "regulatory" law. Revisions needed: Write PA98-0022 fines and penalties into the rules; strip out the trivial fines in §245.1120(c)1-2

Sincerely, Weili Zheng Chicago, IL 60607

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

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Sincerely, Westin Campo Chicago, IL 60608



## Fair Economy Illinois

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Sincerely, Westin Campo Chicago, IL 60608

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Sincerely, Westin Campo  
chicago, IL 60608

## Fair Economy Illinois

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Sincerely, Will Fernandez Chicago, IL 60615

## Fair Economy Illinois

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Sincerely, William LaBounty Chicago, IL 60615

## Fair Economy Illinois

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Sincerely, William Thomas Chicago, IL 60637

## Fair Economy Illinois

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Sincerely, William Toole Godfrey, IL 62035

## Fair Economy Illinois

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Sincerely, Young-In Chicago, IL 60637



## Fair Economy Illinois

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Sincerely, Yvette McGivern Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

Section 245.1120 Director's Decision

The fines proposed are ridiculously low. These corporations are making millions, and some billions. These fines should be correctly proportioned to their income levels. It is not ok for them to break the rules. Putting a small price on the violations would make the companies not pay attention to the rules because they have a small price to pay.

Sincerely, Tommy Talley 3354 E 106th St Chicago, IL 60617

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

Section 245.1120 Director's Decision

These fines are abhorrently low and carelessly drawn up! These violations ARE with out a doubt INEVITABLE. Is \$1,000 compensation for habitat degradation and loss of biodiversity or a string of earthquakes and methane geysers? Is \$2,000 compensation for permanent devastation to a person's water supply or a mother giving birth to a stillborn baby after being exposed to fracking fluids? Respectively, HELL NO! I refuse to support this illconceived rule.

Sincerely, Ashley Williams Ottawa, IL 61350

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

Section 245.1120 Director's Decision

These fines are ridiculous. Is this some kind of joke?

Sincerely, Ruben Rodriguez Harvard, IL 60033

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

Section 245.1120 Director's Decision

This section of the rules states that every applicant applying for a permit must disclose to the Department “all findings of a serious violation or an equivalent violation under federal, Illinois or other state laws or regulations in the development or operation of an oil or gas exploration or production site via hydraulic fracturing by the registrant or any parent, subsidiary, or affiliate of the registrant within the previous 5 years.” - What does IDNR define as a “serious” violation? There is no guideline here making it easy for violators to claim that they didn’t report a violation because “we didn’t think it was serious.” Instead, applicants should be required to disclose ALL violations alleged by public authorities and any fines or findings therefrom. - What is the reason for the 5 year time limitation? When fracking violations potentially pose a threat to public health and safety, all previous violations and alleged violations should be considered when issuing a permit, regardless of how long ago they occurred.

Sincerely, Gus Novoa Chicago, IL 60637

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

Section 245.1120 Director's Decision

When I saw the proposed fine schedule, I thought it was a joke. The fines should be exponentially higher-- on the scale of air, soil and water pollution fines typically levied by EPA for environmental violations which damage public health.

Sincerely, Marsha Love Chicago, IL 60612



## Fair Economy Illinois

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In reference to Subpart K: Enforcement

Section 245.1120 Director's Decision

When I saw the proposed fine schedule, I thought it was a joke. The fines should be exponentially higher-- on the scale of air, soil and water pollution fines typically levied by EPA for environmental violations which damage public health.

Sincerely, Marsha Love Chicago, IL 60612

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

Section 245.1120 Director's Decision

When you fine so lightly, you give the go ahead for mega buck corporations to do whatever they please. ACT as if you are concerned about violations of safety regulations by hitting the corporations where is hurt---in their pocket books. Fines should make them fear breaking safety regulations, not scoff at the possibility.

Sincerely, Esther Allman 984 North Butternut Frankfort, IL 60423

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

Section 245.1120 Director's Decision

Why are the penalties (in proportion to profits made by the industry) so low, even though there are cases in many states (PA, CO, TX etc) of negligent practices and willful dumping of toxic materials into water ways?

Sincerely, Seth Brecklin 4651 N Knox Chicago, IL 60630

## Fair Economy Illinois

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In reference to Subpart K: Enforcement

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Sincerely, Seth Brecklin 4651 N Knox Chicago, IL 60630