

Joint Committee on Administrative Rules**ADMINISTRATIVE CODE**

TITLE 62: MINING
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
PART 240 THE ILLINOIS OIL AND GAS ACT
SECTION 240.1130 PLUGGING AND TEMPORARY ABANDONMENT OF INACTIVE
PRODUCTION WELLS

Section 240.1130 Plugging and Temporary Abandonment of Inactive Production Wells

- a) Any idle production well on an active lease or unit that has not had commercial production during the last 24 consecutive months shall be deemed abandoned, in accordance with Section 240.1600(c), and plugged in accordance with Section 240.1140 unless the well has been approved for Temporary Abandonment status in accordance with subsection (c).
- b) Any idle production well on an inactive lease or unit, if the lease or unit has not had commercial production during the last 24 consecutive months, shall be deemed abandoned and not eligible for Temporary Abandonment status, pending a hearing held in accordance with Section 240.1610.
- c) The permittee shall apply for Temporary Abandonment status by making written application on forms provided by the Department. The Department may place the well on Temporary Abandonment status, if the following conditions (which shall be continuing requirements) are met:
 - 1) The well:
 - A) shall have proper bond in effect in accordance with the Act, if applicable; and
 - B) can be the subject of any final administrative decision for abandonment.
 - 2) The well shall have an intact leak free wellhead, or be capped with a valve, and configured to monitor casing or annular pressure.
 - 3) If the well is a permitted gas well and the well has a sustained gas pressure at the surface, the requirements of subsection (e) do not apply.
 - 4) The wellhead shall be above ground level.
 - 5) The permittee complies with the requirements of subsection (d).
- d) Prior to the Department placing the well on Temporary Abandonment status, the permittee shall conduct a fluid level test upon the fluid in the well bore, after notice to and under the supervision of a Department representative, using acoustical or

wire line measuring methods. If the Department authorizes the permittee to conduct a fluid level test without the presence of a Department representative, the permittee shall report the fluid level test on a form prescribed by the Department.

- 1) If the fluid level in the wellbore is no higher than 100 feet below the base of the fresh water, the Department may grant Temporary Abandonment status if the conditions in subsections (c)(1) through (4) are met. Unless the permittee elects to satisfy the conditions of subsections (d)(3)(A) or (B), the permittee shall perform additional fluid level tests, as prescribed in subsection (d), every 2 years or until the well is removed from Temporary Abandoned status.
- 2) If the fluid level, as tested, is higher than 100 feet below the base of the fresh water and, at the time of the Temporary Abandonment request, the well is listed in Active status in the Department's records, the permittee may:
 - A) After notice to and under the supervision of a Department representative, remove any fluid to a level 100 feet below the base of the fresh water. At least 48 hours, but not more than 96 hours after the fluid has been removed, the permittee shall measure the fluid level as prescribed in subsection (d).
 - i) If the fluid level is higher than 100 feet below the base of fresh water, the permittee shall follow the requirements in subsection (d)(3)(A) or (B); or
 - ii) If the fluid level remains more than 100 feet below the base of fresh water, at least 9, but no longer than 12 months from the date that fluid was removed from the well bore, the permittee shall measure the fluid level in accordance with subsection (d). If, after the subsequent fluid level test, the fluid level within the wellbore has remained at least 100 feet below the base of fresh water, and the conditions in subsections (c)(1) through (4) continue to be met, the Department shall grant temporary abandonment status for 2 years from the date of the subsequent fluid level test. Thereafter, the permittee shall perform additional fluid level tests, as prescribed in subsection (d), every 2 years or until the well is removed from Temporary Abandonment status.
 - B) Elect to follow the requirements of subsections (d)(3)(A) or (B).
- 3) If the fluid level, as tested, is higher than 100 feet below the base of fresh water and, at the time of the Temporary Abandonment request, the well is listed in Temporary Abandonment status in the Department's records, the permittee may, after notice to, and under the supervision of, a Department representative:
 - A) set a cast iron plug within 200 feet above the uppermost perforated or open hole interval in the cemented portion of the production casing, but no less than 100 feet below the base of the fresh water, remove any fluid to a level at least 100 feet below the base of the freshwater zone, and monitor the fluid level every 2 years in accordance with subsection (d); or

- B) set a cast iron plug within 200 feet above the uppermost perforated or open hole interval in the cemented portion of the production casing, but no less than 100 feet below the base of the fresh water, and pressure test the casing by maintaining a pressure of 300 PSIG (which may vary no more than 5%) for a period of 30 minutes. Subsequent pressure tests shall be conducted every 5 years or until the well is removed from Temporary Abandonment status.
- e) If a Temporary Abandonment request is denied, the permittee shall, within 90 days, plug the well or correct the deficiency that caused the denial and secure an approved Temporary Abandonment permit.
- f) Temporary Abandonment status for production wells shall not be terminated until the well has been inspected by an Office well inspector and a Temporary Abandonment termination request is approved by the Department. Temporary Abandonment termination requests shall be on a form prescribed by the Department.
- g) Temporary Abandonment status will be granted ~~every~~ for 2 years provided the wells remain in compliance with subsections (c) and (d) and the lease or unit on which the wells are located remains active, except for wells that fulfill the requirements of subsection (d)(3)(B), which will be granted ~~every~~ for 5 years.
- h) In considering whether to extend the period of temporary abandonment beyond the initial two (2) or five (5) year period, the Department may require the owner or operator to submit additional information to justify the need for continued temporary abandonment and to ensure protection of the environment and validate the likelihood that a well will be returned to active status or properly plugged and abandoned as required under this article. Such additional information may include, but is not limited to, the following:
- (1) A list of all improvements or workovers that will be required to equip the well for active status.
 - (2) A description of other improvements or infrastructure that will be needed to return the well to active status.
 - (3) An itemized list of the costs associated with each of the improvements or workovers identified in (h)(1) and (2).
 - (4) A detailed time schedule for completing all of the workovers or improvements identified by the owner or operator.
 - (5) An estimate of the cost to plug and abandon the well by an independent plugging contractor.

- i) Any operator seeking temporary abandonment status of a well beyond the initial two (2) or five (5) year period shall provide the additional information defined in subsection (h) for consideration by the Department upon written request.
- j) Following an approved temporary abandonment period wells not active for a period of at least two (2) consecutive years shall be required to re-apply for temporary abandonment status and shall include all additional information set forth in subsection (h).