

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, 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 shall 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) is not in the Plugging and Restoration Fund.
 - 2) The well shall have an intact leak free wellhead, or be capped with a valve, and configured to monitor casing or annular pressure. The well shall be configured to include a one quarter inch female fitting, with shut-off valve, to allow monitoring of the annulus.
 - 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, wire line or string 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 5 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 5 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 5 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 5 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 the Department finds that a well that is in Temporary Abandonment status is in violation of the operational requirements set forth in subsection (c) or (d), the Department shall issue a Director's Decision requiring that the well be properly plugged, re-plugged or repaired. If the permittee has not complied with a Director's Decision issued by the Department pursuant to this subsection (e) and after a final administrative decision is issued, the well is found to be in violation of subsection (c) or (d), the Temporary Abandonment status for the well shall be revoked until the violation has been remediated and the well is in compliance with this Section.
- f) The permittee shall monitor the well and certify annually, on a form provided by the Department, that there is no pressure on the casing or any annuls of a well that has been granted Temporary Abandonment status.
- g) 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.
- h) Beginning January 1, 2023, Temporary Abandonment status shall terminate 5 years from the date that Temporary Abandonment status was granted unless the permittee complies with the requirements of subsection (d) for each 5-year period that a well is in Temporary Abandonment status. Temporary Abandonment status may be terminated upon application for termination of Temporary Abandonment status by the permittee and a Temporary Abandonment request being approved by the Department following a well inspection by a Department well inspector. Temporary Abandonment termination requests shall be on a form prescribed by the Department.
- i) Wells On Temporary Abandonment Status On January 1, 2023
- 1) Beginning January 1, 2023, wells on Temporary Abandonment status on January 1, 2023, shall be granted an additional Temporary Abandonment status of 5 years upon the expiration of the original Temporary Abandonment designation, provided:
- A) the well remains in compliance with subsections (c) and (d);
- B) the lease or unit which the wells are located remains active; and
- C) the permittee submits an application pursuant to subsection (c) and that application is approved by the Department.
- 2) Temporary Abandonment status may be renewed for successive 5-year periods if the well remains in compliance with this Section.

- j) The Department shall assess and collect annual fees of \$100 per well for each well that is in Temporary Abandonment status.
- k) The Department shall grant Temporary Abandonment status for successive 5 year periods if a well remains in compliance with this Section and upon the permittee's submission of detailed geological, engineering, or economical evidence that, based on industry standards, the well remains viable for future oil and gas development purposes.

(Source: Amended at 46 Ill. Reg. 20013, effective January 1, 2023)