**Section 730.134 Information to be Considered by the Agency**

This Section sets forth information that must be considered by the Agency in authorizing a Class III injection well. Certain maps, cross-sections, tabulations of wells within the area of review, and other data may be included in the application by reference provided they are current, readily available to the Agency (for example, in the Agency's files) and sufficiently identified to be retrieved.

a) Prior to the issuance of a permit to operate an existing Class III injection well or area or for the construction of a new Class III injection well, the Agency must consider the following:

1) The information required in 35 Ill. Adm. Code 702.120 through 702.124 and 704.161(c);

2) A map showing the injection well or project area for which the permit is sought and the applicable area of review. Within the area of review, the map must show the number or name and location of all existing producing wells, injection wells, abandoned wells, dry holes, public water systems, and water wells. The map may also show surface bodies of waters, mines (surface and subsurface), quarries and other pertinent surface features including residences and roads, and faults if known or suspected. Only information of public record and pertinent information known to the applicant is required to be included on this map;

3) A tabulation of data reasonably available from public records or otherwise known to the applicant on wells within the area of review included on the map required pursuant to subsection (a)(2) that penetrate the proposed injection zone. Such data must include a description of each well's type, construction, date drilled, location, depth, record of plugging and completion, and any additional information the Agency may require. In cases where the information would be repetitive and the wells are of similar age, type, and construction the Agency may elect to only require data on a representative number of wells;

4) Maps and cross-sections indicating the vertical limits of all underground sources of drinking water within the area of review, their position relative to the injection formation and the direction of water movements, where known, in every underground source of drinking water that may be affected by the proposed injection;

5) Maps and cross-sections detailing the geologic structure of the local area;

6) Generalized map and cross-sections illustrating the regional geologic setting;

7) Proposed operating data, as follows:

A) The average and maximum daily rate and volume of fluid to be injected;

B) The average and maximum injection pressure; and

C) Qualitative analysis and ranges in concentrations of all constituents of injected fluids. The applicant may request confidentiality as specified in 35 Ill. Adm. Code 101.107. If the information is proprietary an applicant may, in lieu of the ranges in concentrations, choose to submit maximum concentrations that must not be exceeded. In such a case the applicant must retain records of the undisclosed concentrations and provide them upon request to the Agency as part of any enforcement investigation;

8) A proposed formation testing program to obtain the information required by Section 730.132(c);

9) A proposed stimulation program;

10) The proposed injection procedure;

11) Schematic or other appropriate drawings of the surface and subsurface construction details of the system;

12) Plans (including maps) for meeting the monitoring requirements of Section 730.133(b);

13) Expected changes in pressure, native fluid displacement, direction of movement of injection fluid;

14) Contingency plans to cope with all shut-ins or well failures so as to prevent the migration of contaminating fluids into underground sources of drinking water;

15) A certificate that the applicant has assured, through a performance bond or other appropriate means, the resources necessary to close, plug, or abandon the well as required by 35 Ill. Adm. Code 704.189; and

16) The corrective action proposed to be taken pursuant to 35 Ill. Adm. Code 704.193.

b) Prior to granting approval for the operation of a Class III injection well, the Agency must consider the following information:

1) All available logging and testing data on the well;

2) A satisfactory demonstration of mechanical integrity for all new wells and for all existing salt solution pursuant to Section 730.108;

3) The anticipated maximum pressure and flow rate at which the permittee will operate;

4) The results of the formation testing program;

5) The actual injection procedures; and

6) The status of corrective action on defective wells in the area of review.

c) Prior to granting approval for the plugging and abandonment of a Class III injection well, the Agency must consider the following information:

1) The type and number of plugs to be used;

2) The placement of each plug including the elevation of the top and bottom;

3) The type, grade, and quantity of cement to be used;

4) The method of placement of the plugs; and

5) The procedure to be used to meet the requirements of Section 730.110(c).

(Source: Amended at 42 Ill. Reg. 24145, effective November 19, 2018)