**Section 240.1855 Civil Complaint**

a) The Department may elect to request the Attorney General to file an action with or without issuing a notice of probable violation pursuant to Section 240.1854.

b) In accordance with Section 11 of the Illinois Oil and Gas Act, the Department, through the Attorney General, shall bring an action in the name of the People of the State of Illinois in the circuit court of the county in which any part of the land or any activity that is the subject matter of the action is located, or a final administrative order was entered, to restrain that person from continuing the violation or from carrying out the threat of violation. In such action, the Department, in the name of the People of the State of Illinois, may obtain such injunctions, prohibitory and mandatory, including temporary restraining orders and preliminary injunctions, or other enforcement orders, as the facts may warrant, including but not limited to:

1) an assessment of civil penalties;

2) submission of a bond in accordance with Subpart O; or

3) denial of new drilling and/or operating permits.

c) This Section applies to the following:

1) violations of any requirement of the Act that the Department determines creates a substantial and imminent danger to the health or safety of the public;

2) violations of the Act that pose an imminent danger of substantial environmental harm or cause environmental damage to property or contamination of surface or ground waters of the State as a result of improper disposal, release or discharge of produced fluid or fluid; or

3) the permittee has shown a pattern of documented events involving improper disposal, release, or discharge of produced fluids or fluids within the previous 2 years from the date of the most recent event.

(Source: Former Section 240.1855 renumbered to Section 270.1862; new Section 240.1855 added at 43 Ill. Reg. 11524, effective September 24, 2019)