**Section 245.510 Well Drilling, Storage and Disposal of Drilling Waste**

Drill cuttings, drilling fluids and drilling wastes must be stored and disposed of pursuant to the requirements of this Section and the requirements of the rules promulgated under the Illinois Oil and Gas Act when not in conflict with this Section.

a) *Drill cuttings, drilling fluids, and drilling wastes not containing oil-based mud or polymer-based mud may be stored in tanks or pits* (Section 1-75(c)(11) of the Act).

b) *Pits used to store* drill *cuttings,* drilling *fluids, and drilling wastes from wells not using fresh water mud shall be subject to the construction standards identified in* Section 245.830 (Reserve Pits) (Section 1-75(c)(11) of the Act).

c) *Drill cuttings not contaminated with oil-based mud or polymer-based mud may be disposed* *of* on property *subject to the* written *approval of the Department* and the surface landowner (Section 1-75(c)(11) of the Act).

d) *Drill cuttings contaminated with oil-based mud or polymer-based mud shall be disposed* *of* in an Agency permitted special waste landfill or other offsite location in accordance with applicable law. (Section 1-75(c)(11) of the Act). (See 62 Ill. Adm. Code 240.540(a).)

e) *Disposal of drill cuttings or fluid* down the annulus of any well *is prohibited* (Section 1-75(c)(11) of the Act).

f) Anything in subsections (a) through (e) notwithstanding, the drilling fluid, drilling cuttings and drilling waste from any black shale zones shall be tested for radioactivity, and if above the levels identified in this Part, disposed of in accordance with the radioactive materials management strategy set forth in Section 245.210(b)(7). Drilling fluid, drilling cuttings and drilling waste from any black shale zones that test positive for levels of radioactive contamination shall not be stored in open pits.