**Section 245.615 Procedures**

a) Upon a determination of pollution or diminution by the Department, the Department shall issue a Notice of Violation and proceed with appropriate enforcement pursuant to Subpart K. The enforcement shall, *in addition to any other penalty available under the law*, require the permittee to complete remedial action to temporarily or permanently *restore or replace the affected* water *supply with an alternative source of water adequate in quantity and quality for the purposes served by the water source.* *The quality of a restored or replaced water source shall meet or exceed the quality of the original water source based upon the results of the baseline test results under Section* 245.600(b) *for that water source, or other available information.* *Further, as appropriate, the Department may require the permittee to take immediate action, including, but not limited to, repair, replacement, alteration, or prohibition of operation of equipment permitted by the Department. The Department*, in consultation with the Agency and/or the Illinois Department of Public Health, *may* also *issue conditions* and orders *to protect the public health*,public safety, property, wildlife, aquatic life *or environment.* (Section 1-83(d) of the Act)

b) *Within 15 calendar days after a determination of pollution or diminution, the Department* shall, with assistance from other State and local agencies, *provide notice of its* Notice of Violation and determination on the Department's website and *to all persons that use the water source for domestic, agricultural, industrial, or any other legitimate beneficial uses,* as well as any certified local public health departments that serve those persons (Section 1-83(e) of the Act).

c) *Upon issuance of a* Notice of Violation pursuant to subsection (b), *the Department shall contact the Agency and forward all information to the Agency. The Agency shall investigate the potential for violations as designated within Section 1-87 of* the *Act*. (Section 1-83(f) of the Act)

d) *The Department shall publish, on its website, lists of confirmed* determinations of *pollution or diminution that result from high volume horizontal hydraulic fracturing operations* and are final administrative decisions. *This information shall be searchable by county.* (Section 1-83(h) of the Act)

e) *The Agency shall have the duty to investigate complaints that activities under* the *Act* or this Part *have caused a violation of Section 12 of the Illinois Environmental Protection Act or surface or groundwater rules adopted under the Illinois Environmental Protection Act. Any action taken by the Agency in enforcing these violations shall be taken under and consistent with the Illinois Environmental Protection Act, including, but not limited to, the Agency's authority to seek a civil or criminal cause of action under that Act.* (Section 1-87(b) of the Act)