Illinois Fracking Proposal Sees Rare Cooperation

TAMMY WEBBER,Associated Press

CHICAGO (AP) — Illinois would have the strictest regulations for high-volume oil and gas drilling in the nation under a proposal introduced Thursday and drafted with help from industry and environmentalists — an unusual collaboration when it comes to a practice intensely scrutinized over claims it can cause pollution and health problems.

The Hydraulic Fracturing Regulatory Act would require oil and gas companies to test

water before, during and after drilling, and hold them liable if contamination was found after drilling began. It also would require companies to disclose the chemicals used in the process and control air pollution, as well as provide for public hearings and allow residents to sue if they believed they had been harmed.

Such provisions are uncommon in states where hydraulic fracturing, or "fracking," happens, and Illinois would be the first to require so many, environmental and industry officials said.

"This is a situation where Illinois really is leading the way," said Ann Alexander, a senior attorney with the Natural Resources Defense Council's Midwest program, who participated in negotiations. "We hope we are setting a floor for others to be able to build on (because) there is very much a gold rush mentality."

Allen Grosboll, co-legislative director at the Environmental Law and Policy Center, said it's likely the measure will pass the Legislature because of the unusual negotiations between industry, environmentalists, lawmakers, regulatory agencies and Attorney General Lisa Madigan.

"One of the more stunning aspects of this is legislation is that (lawmakers) invited the environmental community and industry to the table and, in more than five months of negotiations (produced) what I think is the most comprehensive fracking bill in country," Grosboll said.

Fracking uses a high-pressure mixture of water, sand or gravel and chemicals to crack and hold open thick rock formations, releasing trapped oil and gas. Combined with horizontal drilling, it allows access to formerly out-of-reach deposits. The industry — which is eyeing the New Albany Shale formation in southern Illinois — insists the method is safe and could create thousands of jobs.

Critics are urging lawmakers instead to support a 2-year moratorium on the practice to study scientific evidence surrounding contamination and potential health effects, as well as the impact on water supplies.

Sen. Mattie Hunter, a Chicago Democrat, introduced the moratorium bill, which is supported by some environmental groups, including the Sierra Club.

"How do you know (regulations are) going to work?" said Liz Patula, a Williamson

County resident who belongs to Southern Illinoisans Against Fracturing Our Environment, a group of farmers, land owners and others. "A moratorium is about looking at scientific evidence before even saying the word 'regulation.'"

Grosboll said his group supported a moratorium that failed last fall, so it was crucial to help draft the strongest possible regulations.

"The reality is that thousands of acres of leases are being bought up, and fracking is going to come to Illinois," he said.

State Rep. John Bradley, the Marion Democrat who introduced the regulatory measure along with Willow Hill Republican David Reis, said it would protect the environment and families while creating thousands of jobs in a cash-strapped region. He said if the bill passes quickly, drilling could begin this year.

Reis called the bill "historic from an economic standpoint."

"The revenue that this is going to generate for the entire state of Illinois ... is going to be maybe one of the things we need to get out of our financial challenges that we face in this state," Reis said.

Leases already have been signed on tens of thousands of acres in southern Illinois, where studies have suggested the New Albany Shale, roughly 5,000 feet below the surface, may hold significant gas and oil reserves.

Oil and gas companies are eager to begin drilling, despite what would be "unquestionably" the nation's toughest regulations, said Jim Watson, a former Illinois lawmaker who's now executive director of the Illinois Petroleum Council.

"Now it's time for the industry to invest and help us ... do the good things that can come out of this," Watson said. "I'm happy that the sides sat down and found that compromise."

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Associated Press Writer John O'Connor in Springfield contributed to this story.

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The legislation is HB2615.

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