**Section 240.1620 Plugging Orphaned Wells**

a) If upon review of Department records a determination is made that no permittee can be located, no bond exists and no fees have been paid in accordance with Section 19.7 of the Act, the well shall be deemed an orphaned well and placed in the PRF Program.

b) The Department may elect to plug, replug or repair the well and/or restore the well site of any orphaned well. The Department may authorize any person to enter upon the land and plug, replug, and restore the well site. The Department may dispose of all well site equipment and hydrocarbons in accordance with Section 19.6 of the Illinois Oil and Gas Act as follows: public sale, auction, private sale, or by assignment or quit claim deed to a third party to offset plugging costs.

c) Proceeds from any public sale, auction or private sale shall be deposited into the Plugging and Restoration Fund in accordance with Section 6(19) of the Illinois Oil and Gas Act or used to offset plugging costs.

d) If the Department determines that any condition or practice exists which creates an imminent danger to the health or safety of the public, or an imminent danger of significant environmental harm or significant damage to property, the Department or its agent may immediately take any action necessary to temporarily correct the source of oil, salt water, gas or other deleterious substances intrusion into fresh water zones or onto the surface.

e) The cost of all work completed under this Section shall be paid from the bond forfeiture monies portion of the Plugging and Restoration Fund.

(Source: Amended at 22 Ill. Reg. 8845, effective April 28, 1998)