**Section 245.940 Produced Water Disposal or Recycling, Transportation and Reporting Requirements**

The permittee shall dispose of or recycle produced water in accordance with the requirements of this Section:

a) Surface *discharge of produced water* onto the ground or *into any surface water or water drainage way is prohibited* (Sections 1-75(c)(9) and 1-25(c) of the Act).

b) Except for recycling allowed under subsection (d), produced water *may only be disposed of by injection into a Class II injection well that is below interface between fresh water and naturally occurring Class IV groundwater* (Sections 1-75(c)(8) and 1-25(c) of the Act). Unless used for enhanced oil recovery, the Class II injection well must be equipped with an electronic flowmeter and approved by the Department.

c) Produced water *transfer operations from tanks to tanker trucks* for transportation offsite *must be supervised at the truck and at the tank if the tank is not visible to the truck operator from the truck. During transfer operations, all interconnecting piping must be supervised if not visible to transfer personnel at the truck and tank.* (Section 1-75(c)(6) of the Act)

d) *Produced water may be treated and recycled for use in hydraulic fracturing fluid for high volume horizontal hydraulic fracturing operations* (Section 1-75(c)(8) of the Act).

e) *Transport of produced water by vehicle for disposal* or recycling *must be undertaken by a liquid oilfield waste hauler permitted by the Department under Section 8c of the Illinois Oil and Gas Act. The liquid oilfield waste hauler transporting produced water under this* Part *shall comply with all laws, rules, and regulations concerning liquid oilfield waste.* (Section 1-75(c)(10) of the Act)

f) Permittees *must submit an annual* produced water *report to the Department detailing the management of any produced water associated with the permitted well.*

1) *The* produced water *report shall be due to the Department no later than April 30 of each year and shall provide information on the operator's management of any produced water for the prior calendar year* and the anticipated management for the next calendar year; and

2) *The* produced water *report shall contain information relative to the amount of produced water* from *the well, the method by which the produced water was* transported and *disposed* of or recycled, *the destination where the produced water was disposed* of (Section 1-75(c)(15) of the Act) or recycled.