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COALITION FOR HYDRAULIC FRACTURING SAYS PROPOSED RULES FAIL TO MATCH CAREFULLY NEGOTIATED LEGISLATION

GROW-IL coalition asking state committee to direct IDNR to redraft rules guided by statute

CHICAGO— GROW-IL has submitted a comprehensive list of policy concerns regarding the rules written by the Illinois Department of Natural Resources governing hydraulic fracturing in Illinois after seeing that that the IDNR has unilaterally added, arbitrarily deleted, or clearly contradicted carefully compromised laws passed overwhelmingly by a bipartisan majority of lawmakers. GROW-IL's filing coincides with the Illinois legislature convening their Joint Committee on Administrative Rules (JCAR) next week in Chicago to finalize the long-awaited second set of rules that will govern "fracking" in the state.

"After waiting 438 days for the IDNR while they delayed the opportunity for significant revenue and job creation for all those months, what we finally received are proposals that represent an egregious overreach by the agency. We spent three years of negotiation that resulted in carefully crafted law, and now it is extremely disappointing to see proposed rulemaking that changes the law and thoroughly circumvents the intent that was agreed upon by all parties including the business community, labor, agriculture and mainstream environmental organizations," said **Mark Denzler, vice president/COO of the Illinois Manufacturers' Association.**

Numerous concerns have been detailed by GROW-IL in a filing with JCAR, asking them to order the IDNR to redraft the rules and come back in October with language that matches the intended statute; below are three of the highest priorities:

1. The IDNR unilaterally added eight new criteria that must be met in order for a permit to be issued and the cumulative impact of past and future well development must be factored. The "cumulative impact" issue was raised multiple times during the negotiation and ultimately rejected by the negotiators in favor of the specific language created in statute.
2. Ignoring the negotiated statute, the IDNR arbitrarily deleted the "economic unreasonableness" standard for approving the use of flares in well completion and production operations. They replaced this standard with an alternative threshold which is in direct conflict with this provision of the statute that was discussed as a stand-alone topic on multiple occasions.
3. The IDNR proposes, in direct contradiction to Illinois law, that a permit can be denied if a private property owner refuses sampling of their private water wells or ponds. The negotiated law only requires the permit seeker to provide evidence that good faith efforts were made to gain access for the purposes of conducting tests.

"If all these rules are codified by JCAR as written, it risks the loss of tens of thousands of jobs and millions of dollars in tax revenue that will be generated by safe and proven hydraulic fracturing technology being used across the country," said **Tom Wolf, executive director at Illinois Chamber of Commerce's Energy Council.** "Taxpayers, energy consumers, and those seeking good-paying jobs should be frustrated that a state agency assigned to follow the law has instead acted as activists themselves and jeopardized Illinois' ability to receive these benefits."

"We're not talking about just a few jobs at stake—we are projecting up to 47,000 new jobs, and those positions will fill a massive void of opportunity in Southern Illinois," said **Michael Carrigan, president of the Illinois AFL-CIO.** "We have a very skilled workforce of men and women who desperately need to get back to work."

ABOUT GROW-IL

GROW-IL is a diverse coalition of more than two dozen business, labor, construction, transportation and agricultural organizations focused on enacting common sense hydraulic fracturing legislation in Springfield and are led by three co-chairs: Illinois Manufacturers' Association, Illinois AFL-CIO and the Illinois Petroleum Council. For more information, visit www.grow-il.org.

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