Illinois

The 2013 League of Women Voters of Illinois (LWVIL) Convention took place as two separate bills related to hydraulic fracturing – aka as fracking - were pending in the Illinois Legislature. One bill called for a fracking ban/moratorium, the other established regulations for fracking. Few specifics about the bills were available at the time of the convention. After much debate LWVIL identified hydraulic fracturing moratorium/ban as a priority issue of concern for 2013-15. The legislation advanced rapidly in favor of the regulatory bill which was submitted as a shell bill under Weights and Measures. Only 7 legislators supported a moratorium/ban. The Hydraulic Fracturing Regulatory Act passed easily despite concerted efforts and opposition from grassroots organizers.

On June 9, 2013, the LWVIL resolved to continue to work for a moratorium on hydraulic fracturing in Illinois. Should the bill regulating the process go into effect LWVIL would work for the most effective rules possible to protect Illinois’ current and future residents and its environment. Dr. Fran Cella from the LWV Elgin Area was designated as Fracking Issues Specialist for LWVIL. Dr. Cella issued an open invitation to LWVIL members to participate in this process to which individuals from throughout the state responded.

On June 17 2013 Governor Walker signed Senate Bill 1715 – The Hydraulic Fracturing Regulatory Act - into law. While initially touted as the Nation’s strongest regulatory fracking bill – it was in fact the only regulatory fracking bill. Following passage of the law, The Hydraulic Fracturing Regulatory Act was forwarded to The Illinois Department of Natural Resources (IDNR) to write the Rules for implementing the Act. The Proposed Rules on Hydraulic Fracturing were published in the Illinois Register on November 1, 2013 – initiating the 45 day public comment period which concluded on January 3 2014.

Prior to drafting the rules IDNR was given scientific reports, government publications and documentation from states engaged in fracking. These highlighted the inevitability of increased seismic activity and the risk of groundwater contamination by radium and methane. Per the Rule, IDNR “used no published studies or reports, and sources of underlying data, to compose this rulemaking.” Rather than tighten up the Regulation Act, the Proposed Rules weakened the requirements for fracking. Definitions were altered and loopholes added for the purpose of circumventing and reducing the rigor of the regulations.

Public Hearings on the proposed rules were held in Chicago, Rend Lake, Effingham, Carbondale and Decatur. Two hearings were held in conjunction with major holidays (Thanksgiving and Christmas.) Each hearing was 2 hours in length and had capacity (or near) attendance. Not more than 1 person at any of the hearings spoke in favor of fracking. Dr. Cella submitted testimony on behalf of LWVIL focusing on rules specific to Water Protection and Transparency in Chemical Disclosure.

In addition to public hearings, comments to IDNR were accepted on-line. LWVIL members were encouraged to submit comments on the rules and to forward copies of their comments to The Joint Committee on Administrative Review (JCAR.) By the deadline on January 3, 2014, many thousands of comments were received by IDNR and are under review at the time of this writing.
National

Fracking is a daily news event with dramatic “fraccidents” from chemical spills to exploding trains have garnering much public attention. To date, New York, Hawaii and Vermont have effected statewide bans on fracking while other states are attempting bans through local jurisdictions. Legislation re: transport and dumping of fracking material has also been introduced in states adjacent to those that frack.