

# HOUSE BILL No. 5258

January 27, 2016, Introduced by Reps. Moss, Sarah Roberts, Greig, Irwin, LaVoy, Chirkun, Singh, Gay-Dagnogo, Chang, Pagan, Love, Plawecki, Lucido, Webber and Wittenberg and referred to the Committee on Energy Policy.

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 61506b (MCL 324.61506b), as added by 1998 PA 303.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1           Sec. 61506b. (1) Except as provided in subsections (2) and  
2           (3), ~~beginning on the effective date of this section, the~~  
3           supervisor shall not issue a permit for or authorize the drilling  
4           of an oil or gas well ~~if both of the following apply:~~

5           ~~— (a) The well is~~ **IN A COUNTY WITH A POPULATION OF 750,000 OR**  
6           **MORE UNLESS ALL OF THE FOLLOWING CONDITIONS ARE MET:**

7           **(A) THE PROPOSED WELL WILL BE** located ~~within 450~~ **AT LEAST**  
8           **2,000** feet ~~of~~ **FROM** a residential building.

9           ~~— (b) The residential building is located in a city or township~~  
10          ~~with a population of 70,000 or more.~~

1           (B) THE LOCATION OF THE PROPOSED WELL AND THE OPERATION OF THE  
2 PROPOSED WELL WILL BE IN COMPLIANCE WITH APPLICABLE LOCAL  
3 ORDINANCES.

4           (C) THE DEPARTMENT HAS HELD A PUBLIC HEARING IN THE CITY,  
5 VILLAGE, OR TOWNSHIP IN WHICH THE PROPOSED WELL IS LOCATED AND HAS  
6 CONSIDERED THE PUBLIC INPUT FROM THAT PUBLIC HEARING.

7           (2) The supervisor may grant a waiver from the requirement of  
8 subsection (1)(a) if the clerk of the city, village, or township in  
9 which the proposed well is located has been notified of the  
10 application for a permit for the proposed well and if either of the  
11 following conditions is met:

12           (a) The owner or owners of all residential buildings located  
13 within ~~450~~2,000 feet of the proposed well give written consent.

14           (b) The supervisor determines, pursuant to a public hearing  
15 held before the waiver is granted, that the proposed well location  
16 will not cause waste and there is no reasonable alternative for the  
17 location of the well that will allow the oil and gas rights holder  
18 to develop the oil and gas.

19           (3) Subsection (1) does not apply to a well utilized for the  
20 injection, withdrawal, and observation of the storage of natural  
21 gas pursuant to this part.

22           Enacting section 1. This amendatory act takes effect 90 days  
23 after the date it is enacted into law.