

# HOUSE BILL No. 5369

February 16, 2016, Introduced by Reps. Greig, Sarah Roberts, Irwin, Cochran, Darany,  
Chang, Plawecki, Townsend, Moss, Pagan, Schor, Geiss, LaVoy, Singh, Faris,  
Wittenberg, Phelps and Zemke 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~~ **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~~ **THE WELL PAD FOR THE WELL** is located, **OR WILL BE**  
6 **LOCATED**, within ~~450~~ **5,000** feet of a residential building, **A PUBLIC**  
7 **OR PRIVATE SCHOOL, A CHILD CARE FACILITY, A HOSPITAL, OR A PUBLIC**  
8 **PARK.**

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

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

8 ~~—— (a) The owner or owners of all residential buildings located~~  
9 ~~within 450 feet of the proposed well give written consent.~~

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

15 ~~—— (3) Subsection (1) does not apply to a well utilized for the~~  
16 ~~injection, withdrawal, and observation of the storage of natural~~  
17 ~~gas pursuant to this part.~~

18 **(2) AS USED IN THIS SECTION, "WELL PAD" MEANS THE AREA**  
19 **OCCUPIED BY THE EQUIPMENT OR FACILITIES NECESSARY FOR OR INCIDENTAL**  
20 **TO THE DRILLING, PRODUCTION, OR PLUGGING OF A WELL.**

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