

**STATE OF MICHIGAN
101ST LEGISLATURE
REGULAR SESSION OF 2022**

Introduced by Senator Outman

ENROLLED SENATE BILL No. 991

AN ACT to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to protect the people’s right to hunt and fish; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” (MCL 324.101 to 324.90106) by adding section 21102a.

The People of the State of Michigan enact:

Sec. 21102a. (1) Except as provided in subsection (2), a person shall not install an underground storage tank that meets any of the following conditions:

- (a) Is within 2,000 feet of an existing type I community or type IIa noncommunity public water well.
- (b) Is within 800 feet of an existing type IIb or type III noncommunity public water well.
- (c) Is within 300 feet of any other type of well not described in subdivision (a) or (b).

(2) A person that wishes to install an underground storage tank that does not meet the conditions described under subsection (1) may only replace an active underground storage tank if both of the following requirements are met:

(a) A professional engineer or qualified underground storage tank consultant certifies that a combination of the construction material of the underground storage tank and the leak detection used to monitor the underground storage tank is more likely to prevent and detect a release from the replacement underground storage tank than the existing underground storage tank.

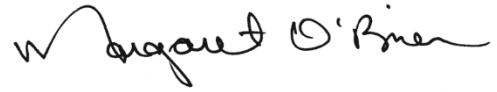
(b) The facility where the active, existing underground storage tank is located is in compliance with this part and the rules promulgated under this part.

(3) As used in this section:

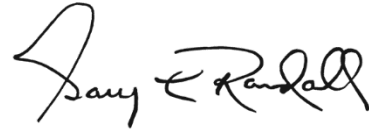
(a) “Professional engineer” means that term as defined in section 2001 of the occupational code, 1980 PA 299, MCL 339.2001.

(b) “Qualified underground storage tank consultant” means an individual who meets the requirements described under section 21325.

This act is ordered to take immediate effect.



Secretary of the Senate



Clerk of the House of Representatives

Approved _____

Governor