

# HOUSE BILL No. 5389

February 18, 2016, Introduced by Rep. Lucido 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           **1,320 feet** ~~of~~ **FROM** a residential building.

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

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

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

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

14 (a) The owner or owners of all residential buildings located  
15 within ~~450~~ 1,320 feet of the proposed well give written consent.

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

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

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