

# HOUSE BILL No. 5974

October 19, 2016, Introduced by Reps. Irwin and Sarah Roberts and referred to the Committee on Energy Policy.

A bill to amend 1994 PA 451, entitled  
"Natural resources and environmental protection act,"  
(MCL 324.101 to 324.90106) by adding section 61506h.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1           SEC. 61506H. (1) SUBJECT TO SUBSECTION (2) AND SECTION 61506G,  
2 A PERSON SHALL NOT OPERATE AN OIL OR GAS WELL EXCEPT IN CONJUNCTION  
3 WITH A METHANE CONTROL OR CAPTURE SYSTEM CAPABLE OF REDUCING  
4 FUGITIVE METHANE EMISSIONS BY 99%. THIS SUBSECTION DOES NOT APPLY  
5 TO A WELL THAT CONSISTS ONLY OF A WELLHEAD.

6           (2) SUBSECTION (1) APPLIES BEGINNING ON THE DATE RULES ARE  
7 PROMULGATED UNDER SUBSECTION (5). HOWEVER, IF A PERMIT WAS ISSUED  
8 FOR AN OIL OR GAS WELL UNDER SECTION 61525 BEFORE THE DATE RULES  
9 ARE PROMULGATED UNDER SUBSECTION (5), SUBSECTION (1) APPLIES TO  
10 THAT WELL BEGINNING ON A DATE DETERMINED BY RULES PROMULGATED UNDER  
11 SUBSECTION (5) (B).

1 (3) AN OPERATOR THAT VIOLATES SUBSECTION (1) SHALL BE ORDERED  
2 TO PAY A CIVIL FINE OF \$100,000.00. THIS SUBSECTION DOES NOT APPLY  
3 IF A METHANE CONTROL OR CAPTURE SYSTEM MALFUNCTIONS AND THE  
4 OPERATOR PROMPTLY REPAIRS THE SYSTEM.

5 (4) IF AN OPERATOR FAILS TO INSTALL AND UTILIZE A METHANE  
6 CONTROL OR CAPTURE SYSTEM WITHIN 180 DAYS AFTER THE TIME REQUIRED  
7 BY THIS SECTION OR RULES PROMULGATED UNDER THIS SECTION, THE  
8 SUPERVISOR SHALL REVOKE THE OPERATOR'S PERMIT FOR THE WELL.

9 (5) WITHIN 180 DAYS AFTER THE EFFECTIVE DATE OF THIS SECTION,  
10 THE SUPERVISOR SHALL PROMULGATE RULES TO IMPLEMENT THIS SECTION. AT  
11 A MINIMUM, THE RULES SHALL ADDRESS ALL OF THE FOLLOWING:

12 (A) THE SPECIFIC TYPES OF METHANE CAPTURE AND CONTROL SYSTEMS  
13 THAT MAY BE USED TO COMPLY WITH THIS SECTION.

14 (B) A SCHEDULE FOR THE OPERATOR OF AN OIL OR GAS WELL FOR  
15 WHICH A PERMIT WAS ISSUED BEFORE THE DATE RULES ARE PROMULGATED  
16 UNDER THIS SECTION TO COMPLY WITH THIS SECTION.

17 (C) PROCEDURES AND SCHEDULES FOR INSPECTIONS BY THE SUPERVISOR  
18 TO VERIFY COMPLIANCE WITH THIS SECTION.

19 (D) PROCEDURES FOR OPERATORS TO REPORT COMPLIANCE WITH THIS  
20 SECTION.

21 (E) PROCEDURES FOR MAINTENANCE AND PERFORMANCE TESTING OF A  
22 METHANE CONTROL OR CAPTURE SYSTEM.

23 (F) REQUIREMENTS REGARDING THE PROMPT REPAIR OF A  
24 MALFUNCTIONING METHANE CONTROL OR CAPTURE SYSTEM.

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

27 Enacting section 2. This amendatory act does not take effect

- 1 unless Senate Bill No. \_\_\_\_\_ or House Bill No. \_\_\_\_\_ (request no.
- 2 04796'15) of the 98th Legislature is enacted into law.