

Office of Oil, Gas, and Minerals

## Rule Revisions: Oil and Gas Regulations GUIDANCE

The Department of Environmental Quality (DEQ) has completed a revision of the administrative rules for oil and gas operations under [Part 615](#), Supervisor of Wells, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended ([NREPA](#)).

**The final rule became effective on March 11, 2015.**

The primary focus of the rule is high volume hydraulic fracturing (HVHF) operations. The goals of the rule revisions are to provide additional regulatory safeguards to assure protection of the environment and public health and safety associated with HVHF, and to provide improved access to information by the public.

Hydraulic fracturing involves the pumping of fluid into a potential oil- or gas-producing formation to create fractures or enhance natural fractures, for the purpose of improving the production capacity of a well.

HVHF is defined as an operation using more than 100,000 gallons of fracturing fluid. In the past several years, increased use of HVHF at oil and gas wells has led to heightened public concerns.

The rule revisions required the following:

- Evaluation of large-volume water withdrawals for hydraulic fracturing using the DEQ's [Water Withdrawal Assessment Tool](#).
- Monitoring of ground water levels if a water supply well is within 1,320 feet.
- Disclosure of hydraulic fracturing plans in permit applications.
- Monitoring and reporting of hydraulic fracturing fluid volumes and pressures.
- Submittal of chemical additive information and posting on FracFocus—a nation-wide chemical registry.
- Sampling of area water supply wells to establish baseline water quality.

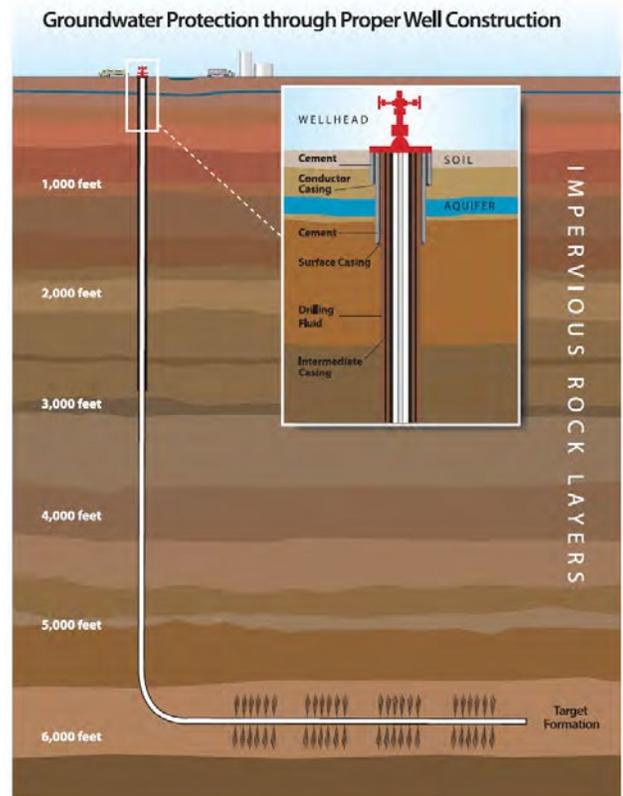


Figure depicting a horizontal well that has been hydraulic fractured, Modified from API, 2012.

The new rule supplements existing DEQ regulations that set effective standards for spill containment and cleanup, well construction, and waste fluid management and disposal—major concerns in connection with hydraulic fracturing and general oil and gas well operations.

The new rule addresses several other issues in addition to HVHF, including well location criteria, electronic filing, contested case procedures, pooling of properties into a single tract for oil and gas development, and clarification and updating of obsolete or imprecise terms.

The DEQ began the process of rule revision in June 2013 by meeting with representatives of environmental and conservation groups, and the oil and gas industry. The DEQ incorporated the suggestions of the interest groups into a rule package, and made refinements to the proposed rules based on their subsequent input. The DEQ submitted the draft rules to the Office of Regulatory Reinvention (ORR) in April 2014 and held two public hearings—one in Gaylord on July 15, 2014, and one in Lansing on July 16, 2014. The DEQ received over 700 comments during the hearings and a following 30-day comment period. Based on those comments, the DEQ made several additional changes, including protections for underground sources of drinking water, advance notice of chemical additives to be used, restrictions on drilling on partially-leased tracts, shut down of operations for potential leaks, and data on water withdrawals.