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MDEQ Supervisor of Wells Issues Oil and Gas Instruction Addressing Some Aspects of Operations in 3 Michigan Counties

Responding to issues raised over the past several months due to oil drilling near residences in Scio and Shelby Townships, yesterday the Supervisor of Wells, Harold R. Fitch, issued an instruction entitled Oil and Gas Development in High Population Density Areas. The instruction can be found here: http://www.michigan.gov/documents/deq/deq-oogm-SOW-Instr1-2015_481056_7.pdf. This instruction applies to the three counties in Michigan—Macomb, Oakland, and Wayne—with a population at or above 750,000 people. In particular, within those three counties it applies to areas that are zoned residential and where a specified high-density threshold for structures is met.

Laura Robinson of COFBY states: “There are some important additions in this instruction to the requirements that oil and gas companies must follow during their operations. Enclosing drill cuttings in tanks, providing chemical information to emergency responders, fencing around the site, and installing groundwater monitoring wells, for example, are newly added safeguards. This instruction is thus an acknowledgement of the voices of citizens, legislators, communities, and organizations who have been calling for particular changes to the Part 615 rules. However, this instruction falls short of accomplishing substantive change for a couple of reasons. First, its scope is extremely narrow. Not only is it applicable to just three counties in Michigan, it applies only to the areas within those counties that are high-density and residentially zoned. These basic protections should be extended to people and the environment throughout the state. Second, within those specific residential areas that are subject to the instruction, oil and gas exploration and development are still allowed, even in the middle of a subdivision in a township where residents and local officials don’t wish to have it. Other industries in Michigan are not given such latitude to encroach upon residential areas, only hundreds of feet from front doors. The Supervisor’s exclusive focus on high-density residential areas thus obscures a greater point about rights—the rights of all citizens to be protected from the negative effects of oil and gas exploration and development and the rights of townships and counties to plan for areas free from industrialization. This instruction is a starting point from which the MDEQ and the Supervisor of Wells should greatly expand, and it does not resolve the issues that have been brought up over the past few months in Scio and Shelby Townships. As it stands, it’s not enough.”