



MICHIGAN OIL AND GAS ASSOCIATION

124 W. ALLEGAN ST., SUITE 1610 • LANSING MI 48933 • Telephone: (517) 487-1092 • Fax: (517) 487-0961

June 21, 2019

Director Adam Wygant
Oil, Gas, and Minerals Division
Michigan Department of Environmental, Great Lakes, and Energy
525 West Allegan Street
Lansing, Michigan 48909-7756

RE: Oil and Gas Operations 2019-001 EG Rule Set

Dear Director Wygant:

The Michigan Oil and Gas Association, on behalf of its nearly 850 members, supports the Oil and Gas Operations 2019-001 EG proposed rule set.

Michigan's home state oil and gas production provides safe, affordable and reliable energy that keeps homes and families warm and safe, and fuels industry and business. In addition, our industry contributes to approximately 47,000 jobs and a \$13 billion economic impact in Michigan.

This rules package will ensure that the State of Michigan has an equally effective program for protecting underground sources of drinking water (USDW's) compared to federal standards by expanding and strengthening the definition of USDW's. Under the new rule set, fresh water is defined as water contains less than 1000 milligrams per liter of total dissolved solids. While mineral water is defined as water that contains 1000 milligrams per liter or more of total dissolved solids. These definition changes provide protection for additional sources of water, beyond what was previously defined in rules as "fresh water" and make certain that the Michigan program covers the same USDW's as the federal program.

The proposed rule set puts in place additional safeguards for Michigan's fresh water resources and gives the Michigan Department of Environment, Great Lakes, and Energy another tool it needs to protect drinking water and safely regulate Class II injection wells. The changes ensure Michigan follows the high standards set by the EPA.

Respectfully,

Erin D. McDonough
President

July 11, 2019

Oil, Gas, and Minerals Division
Michigan Department of Environment, Great Lakes, and Energy
Attention: Adam Wygant
525 West Allegan St
Lansing, MI 48909-7756

RE: Consumers Energy Company's response to proposed rule revisions under Part 615 (1994 PA 451, § 324.61501)

Consumers Energy Company is one of Michigan's largest combined gas and electric utilities, serving over 6 million of Michigan's 10 million residents. Thus, Consumers Energy (Consumers) appreciates the opportunity to comment on the proposed rule set (2019-001 EQ), outlining the State's anticipated primacy for Class II wells, under the Underground Injection Control (UIC) program and other proposed amendments to Part 615. Consumers recognizes that these comments are being submitted after the published deadline of July 5, 2019 and respectfully requests their inclusion in the record for the proposed rule changes. Consumers has reviewed the revised, published rule set and offers the following comment:

R324.102 (z) – The revised rule defines “Mineral Water” as “water that contains 1000 milligrams per liter or more of total dissolved solids.”

Recommendation – This addition seeks to numerically define and protect potential Underground Sources of Drinking Water (USDW), as articulated in the proposed rule documentation and defined by 40 CFR 144.3. However, the definition provided at Rule 102(z) does not include an upper milligram per liter limit. This could result in brines, common to oil and gas operations, being interpreted as mineral water, which is unlikely the intent of the proposed revision, as brines are regulated separately throughout Part 615. Therefore, Consumers recommends that this definition be revised to reflect the intent of the rule to protect USDWs. A potential revision is: (z) “Mineral water” means water that contains 1000 milligrams per liter or more, *but less than 10,000 milligrams per liter* total dissolved solids.

Thank you for considering our comments. Consumers Energy supports the State and the Department of Environment, Great Lakes, and Energy in their effort to obtain primacy for the UIC Class II program. We welcome the opportunity for further dialog should you have questions or desire further clarification. I can be contacted at 517-788-1285, or heather.dziedzic@cmsenergy.com.

Sincerely,



Heather Dziedzic
Consumers Energy
Environmental Regulations & Strategy
Senior Environmental Planner: Land & Water Management
1945 W. Parnall Rd, P22-326
Jackson, MI 49201