

**SUBSTITUTE FOR
SENATE BILL NO. 991**

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
(MCL 324.101 to 324.90106) by adding section 21102a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 21102a. (1) Except as provided in subsection (2), a
2 person shall not install an underground storage tank that meets any
3 of the following conditions:
- 4 (a) Is within 2,000 feet of an existing type I community or
5 type IIa noncommunity public water well.
- 6 (b) Is within 800 feet of an existing type IIb or type III
7 noncommunity public water well.
- 8 (c) Is within 300 feet of any other type of well not described
9 in subdivision (a) or (b).

1 (2) A person that wishes to install an underground storage
2 tank that does not meet the conditions described under subsection
3 (1) may only replace an active underground storage tank if both of
4 the following requirements are met:

5 (a) A professional engineer or qualified underground storage
6 tank consultant certifies that a combination of the construction
7 material of the underground storage tank and the leak detection
8 used to monitor the underground storage tank is more likely to
9 prevent and detect a release from the replacement underground
10 storage tank than the existing underground storage tank.

11 (b) The facility where the active, existing underground
12 storage tank is located is in compliance with this part and the
13 rules promulgated under this part.

14 (3) As used in this section:

15 (a) "Professional engineer" means that term as defined in
16 section 2001 of the occupational code, 1980 PA 299, MCL 339.2001.

17 (b) "Qualified underground storage tank consultant" means an
18 individual who meets the requirements described under section
19 21325.