



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF  
ENVIRONMENT, GREAT LAKES, AND ENERGY  
GEOLOGIC RESOURCES MANAGEMENT DIVISION



PHILLIP D. ROOS  
DIRECTOR

January 9, 2025

VIA EMAIL

Public Input Coordinator  
Ministry of Natural Resources: Development and Hazard Policy Branch  
300 Water Street  
Peterborough, Ontario  
K9J 8M5  
Canada

Dear Public Input Coordinator

SUBJECT: Environmental Registry of Ontario 019-9299, Enabling the Development of  
Commercial-Scale Geologic Carbon Storage in Ontario: The Geologic  
Carbon Storage Act

The Michigan Department of Environment, Great Lakes, and Energy (EGLE), Geologic Resources Management Division (GRMD) appreciates the opportunity to comment on the above referenced legislation. Please accept the following comments related to the development of an Ontario Geologic Carbon Storage Act. The GRMD has taken a close look at this notice, supporting materials, and have reviewed historic/current Ontario oil and gas production/wells/formations.

This is a notice related to development of an Ontario Carbon Capture Utilization and Sequestration regulation, and it appears that the proposed regulatory framework has most or all of categories of a regulation as contained in typical United States statutes. As an authorizing regulation it does not have the full program specifics and regulations that may come to bear on sequestration of carbon dioxide in Ontario, including under Lake Erie and Lake Huron.

Part III Authorizations Section 12 Permits does require permits to be protective of public safety and the environment. Presumably other statutes or administrative rules will provide the protective standards of storage well construction, operation, and abandonment in greater detail. Since there is a possibility of projects being proposed in formations under Lake Huron and Lake Erie, well construction, area of review, and risk mitigation of existing wellbores/penetrations must receive the utmost technical scrutiny in permitting. A full consideration of potential presence of undocumented historic wells in a project area should also be considered when siting. Michigan does not allow drilling oil and gas wells in or under the Great Lakes but recognizes Ontario does. Still, these offshore wells must be fully assessed for any project proposed under or adjacent to the Great Lakes.

GRMD is concerned that projects should not be completed adjacent to the St. Clair River and Detroit River, that there should be a setback from those waterbodies. These areas have had extensive historic oil and gas activity, injection activity, solution mining, and physical salt mining. There have been issues with injection in some zones adjacent to the St. Clair River and there has been long standing policy to avoid injection in some formations. The robust technical review and modeling of carbon dioxide plume migration, stabilization, and evaluation of migration pathways must be part of meeting the protective standard given in Part III Section 12.

EGLE is not clear on what public participation opportunities will be afforded to Michigan for projects under and adjacent to shared Great Lakes water ways. Part III Section 12 does require local municipal endorsement for projects and engagement with Indigenous communities. It is hoped where projects are proposed under or immediately adjacent to Lake Huron, Lake Erie, or connecting waterways that Michigan would have an opportunity to review project/permit materials and provide comment for the Ministry to consider. That opportunity is not apparent in Ontario Bill 228, unless we have missed that in the proposed authorizing language.

In conclusion, the proposed regulation does seem protective in its approach to storage and contains elements of most similar statutes enacted or under development in the United States. EGLE appreciates the opportunity to comment, encourages Ontario to develop robust standards in subsequent rule/policy, and that explicit public participation opportunity is granted to Michigan and sister states where storage projects are proposed under or adjacent to Great Lakes and connecting waterways.

If you have any questions regarding the above matter, please contact me at 517-897-4828 or [WygantA@Michigan.gov](mailto:WygantA@Michigan.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Adam W. Wygant", with a stylized flourish at the end.

Adam W. Wygant, CPG  
State Geologist and Director  
Geologic Resources Management Division  
517-284-6823

cc: Phillip D Roos, EGLE  
Aaron B. Keatley, EGLE  
James Clift, EGLE  
Emily Finnel, EGLE