

State of Misconsin 2013 - 2014 LEGISLATURE



# **2013 SENATE BILL 142**

April 10, 2013 – Introduced by Senators VINEHOUT, CARPENTER, T. CULLEN, HARRIS, LEHMAN, MILLER, WIRCH and ERPENBACH, cosponsored by Representatives DANOU, HULSEY, BARNES, BERCEAU, CLARK, GOYKE, OHNSTAD, SHANKLAND, C. TAYLOR and WACHS. Referred to Committee on Workforce Development, Forestry, Mining, and Revenue.

- 1 AN ACT to create 66.0428 of the statutes; relating to: regulating the location
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of frac sand mines and facilities.

#### Analysis by the Legislative Reference Bureau

This bill prohibits a frac sand mine, a frac sand processing facility, or a frac sand loading facility from being located within 2,500 feet of a single–family or two–family residence or within 2,500 feet of a single–family or two–family residential zoning district.

The bill defines frac sand as a type of industrial sand that could be used in deep well applications to prop open rock fissures and increase the flow rate of natural gas or oil.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

# The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

- 3 **SECTION 1.** 66.0428 of the statutes is created to read:
- 4 **66.0428 Frac sand mines, facilities. (1)** DEFINITION. In this section, "frac
- 5 sand" means a type of industrial sand that could be used in deep well applications
- 6 to prop open rock fissures and increase the flow rate of natural gas or oil.

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(2) SETBACK DISTANCES. No frac sand mine, frac sand processing facility, or frac
sand loading facility may be located within 2,500 feet of a single-family or 2-family
residence or within 2,500 feet of a single-family or 2-family residential zoning
district.

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## SECTION 2. Initial applicability.

6 (1) This act first applies to a frac sand mine, frac sand processing facility, or frac 7 sand loading facility for which an operating permit or building permit is applied for 8 on the effective date of this subsection.

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#### (END)