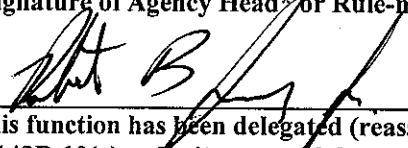


SUBMISSION FOR PERMANENT RULE

ORIGINAL

NOV 21 2014

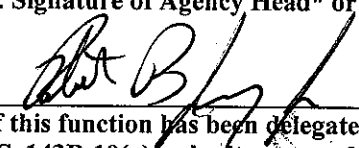
1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05D .0101 and .0103-.0111	
3. Action: ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> X REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: X No	5. Rule automatically subject to legislative review? X Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
6. Notice for Proposed Rule: X Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: X No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM X No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <input type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: X Legislation enacted by the General Assembly Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: 9B. Explain: Session Law 2012-143 directed the MEC to adopt rules that would protect public health and safety; protect public and private property; protect and conserve the State's air, water, and other natural resources; promote economic development and expand employment opportunities; and provide for the productive and efficient development of the State's oil and gas resources. After reviewing the current regulations of the State, the mandate in SL 2012-143, and information from studies about the operation and potential impacts of modern oil and gas exploration and production activities, the MEC is proposing to adopt 124 new rules and to repeal 10 others rules in order to appropriately regulate the oil and gas industry for the purpose of oil and gas exploration and development.	
10. Rule-making Coordinator: Robert B. Josey Jr. Address: 1612 Mail Service Center Raleigh, NC 27699-1612 Phone: 919-707-9239 E-Mail: robert.josey@ncdenr.gov Agency Contact, if any: Jennifer Everett Phone: 919-707-8614 E-Mail: jennifer.everett@ncdenr.gov	11. Signature of Agency Head*or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Robert B. Josey Jr. Title: DEMLR/MEC Rule-making Coordinator
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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 OFFICE OF
 ADMIN HEARINGS

SUBMISSION FOR PERMANENT RULE

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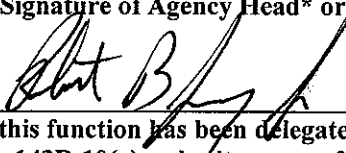
NOV 21 2014

1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .0101, Purpose and Scope	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
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RRC AND OAH USE ONLY	
Action taken: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other: </div> <div style="width: 45%; text-align: right;"> <div style="writing-mode: vertical-rl; transform: rotate(180deg);"> OFFICE OF ADMINISTRATIVE HEARINGS </div> <div style="writing-mode: vertical-rl; transform: rotate(180deg);"> 2014 NOV 21 PM 12:53 </div> <div style="writing-mode: vertical-rl; transform: rotate(180deg);"> FILED </div> </div> </div>	

SUBMISSION FOR PERMANENT RULE

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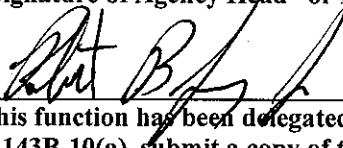
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2. Rule citation & name (name not required for repeal): 15A NCAC 05H .0102, Terms of Reference and Definitions	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
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RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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SUBMISSION FOR PERMANENT RULE

ORIGINAL

NOV 21 2014

1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .0201, Forms	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
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RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	


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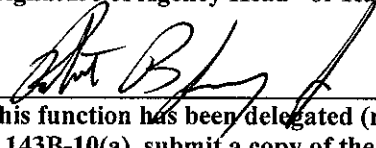
SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .0202, Record Keeping & Reporting	
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4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
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RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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SUBMISSION FOR PERMANENT RULE

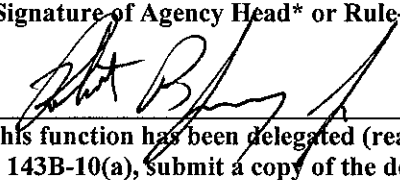
NOV 21 2014

1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .0203, Inspections	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
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Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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SUBMISSION FOR PERMANENT RULE ORIGINAL

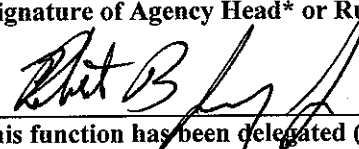
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1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .0301, Variance Procedures	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
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7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
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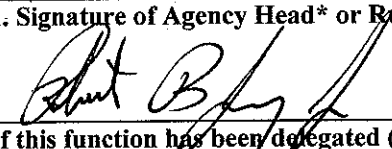
SUBMISSION FOR PERMANENT RULE

ORIGINAL

1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .0401, Procedure for Submission of Petition	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
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<p style="text-align: center;">9. REASON FOR ACTION</p> 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: Session Law 2012-143 directed the MEC to adopt rules that would protect public health and safety; protect public and private property; protect and conserve the State's air, water, and other natural resources; promote economic development and expand employment opportunities; and provide for the productive and efficient development of the State's oil and gas resources. After reviewing the current regulations of the State, the mandate in SL 2012-143, and information from studies about the operation and potential impacts of modern oil and gas exploration and production activities, the MEC is proposing to adopt 124 new rules and to repeal 10 others rules in order to appropriately regulate the oil and gas industry for the purpose of oil and gas exploration and development.	
10. Rule-making Coordinator: Robert B. Josey Jr. Address: 1612 Mail Service Center Raleigh, NC 27699-1612 Phone: 919-707-9239 E-Mail: robert.josey@ncdenr.gov Agency Contact, if any: Jennifer Everett Phone: 919-707-8614 E-Mail: Jennifer.everett@ncdenr.gov	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center; margin-top: 20px;">  <hr style="width: 80%; margin: 0 auto;"/> </div> <p><small>*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.</small></p> Typed Name: Robert B. Josey Jr. Title: DEMLR/MEC Rule-making Coordinator
RRC AND OAH USE ONLY	
Action taken: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other: </div> <div style="width: 45%; text-align: right;"> <div style="writing-mode: vertical-rl; transform: rotate(180deg); font-weight: bold; font-size: 1.5em;">FILED</div> <div style="writing-mode: vertical-rl; transform: rotate(180deg); font-weight: bold;">2014 NOV 21 PM 12:54</div> <div style="writing-mode: vertical-rl; transform: rotate(180deg); font-weight: bold;">OFFICE OF ADMIN HEARINGS</div> </div> </div>	

SUBMISSION FOR PERMANENT RULE

ORIGINAL

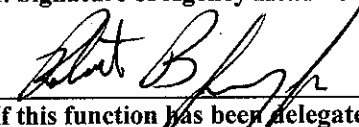
1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .0402, Disposition of Petition	
NOV 21 2014	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
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Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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SUBMISSION FOR PERMANENT RULE

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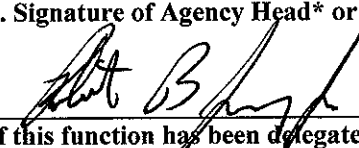
NOV 21 2014

1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .0501, Form and Contents of Petition	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
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RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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SUBMISSION FOR PERMANENT RULE ORIGINAL

NOV 21 2014

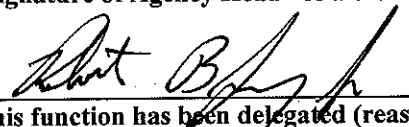
1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .0502, Review by a Committee of the Commission	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
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RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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SUBMISSION FOR PERMANENT RULE

ORIGINAL

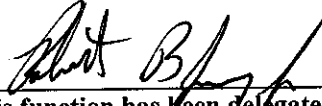
NOV 21 2014

1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .0503, Presentation to the Commission	
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4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
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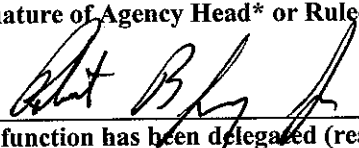
1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .0504, Recourse For Denial of Petition	
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4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
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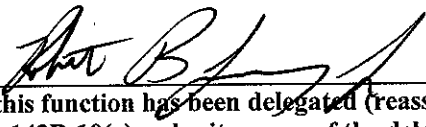
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1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .0601, Purpose and Scope	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
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Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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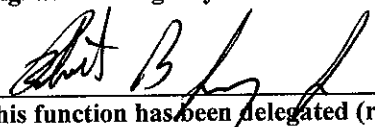
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1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .0602, Procedures for Public Comment for Rulemaking Hearings	
3. Action: X ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: X No	5. Rule automatically subject to legislative review? X Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
6. Notice for Proposed Rule: X Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: X No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM X No fiscal note required
9. REASON FOR ACTION	
9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> X Legislation enacted by the General Assembly Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div>	
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10. Rule-making Coordinator: Robert B. Josey Jr. Address: 1612 Mail Service Center Raleigh, NC 27699-1612 Phone: 919-707-9239 E-Mail: robert.josey@ncdenr.gov Agency Contact, if any: Jennifer Everett Phone: 919-707-8614 E-Mail: Jennifer.everett@ncdenr.gov	11. Signature of Agency Head* or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Robert B. Josey Jr. Title: DEMLR/MEC Rule-making Coordinator
RRC AND OAH USE ONLY	
Action taken:	
<input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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SUBMISSION FOR PERMANENT RULE

NOV 21 2014

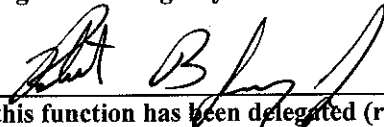
1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .0603, Requirements of Rulemaking Hearing Officer or Panel	
3. Action: X ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: X No	5. Rule automatically subject to legislative review? X Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
6. Notice for Proposed Rule: X Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
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RRC AND OAH USE ONLY	
Action taken:	
<input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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SUBMISSION FOR PERMANENT RULE

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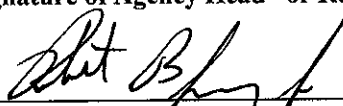
1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .0604, Delegation for Rulemaking Hearings	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
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<p style="text-align: center;">9. REASON FOR ACTION</p> 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: Session Law 2012-143 directed the MEC to adopt rules that would protect public health and safety; protect public and private property; protect and conserve the State's air, water, and other natural resources; promote economic development and expand employment opportunities; and provide for the productive and efficient development of the State's oil and gas resources. After reviewing the current regulations of the State, the mandate in SL 2012-143, and information from studies about the operation and potential impacts of modern oil and gas exploration and production activities, the MEC is proposing to adopt 124 new rules and to repeal 10 others rules in order to appropriately regulate the oil and gas industry for the purpose of oil and gas exploration and development.	
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RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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SUBMISSION FOR PERMANENT RULE

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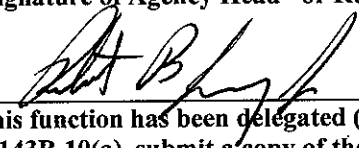
1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .0605, Authorized Hearing Officers	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
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RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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SUBMISSION FOR PERMANENT RULE

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NOV 21 2014

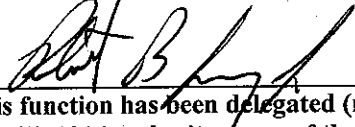
1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .0701, Opportunity for Hearing	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
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RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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SUBMISSION FOR PERMANENT RULE

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NOV 21 2014

1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .0702, Parties	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
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RRC AND OAH USE ONLY	
Action taken: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other: </div> <div style="width: 45%; text-align: right;"> <div style="writing-mode: vertical-rl; transform: rotate(180deg);">OFFICE OF ADMIN HEARINGS</div> <div style="writing-mode: vertical-rl; transform: rotate(180deg);">2014 NOV 21 PM 12:55</div> <div style="writing-mode: vertical-rl; transform: rotate(180deg);">FILED</div> </div> </div>	

SUBMISSION FOR PERMANENT RULE

ORIGINAL

1. Rule-Making Agency: Mining and Energy Commission		NOV 21 2014
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .0703, Procedure for Submission		
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL		
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No	
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required	
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RRC AND OAH USE ONLY		
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:		

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SUBMISSION FOR PERMANENT RULE

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NOV 21 2014

1. Rule-Making Agency: Mining and Energy Commission

2. Rule citation & name (name not required for repeal): 15A NCAC 05H .0704, Completeness and Request for Additional Information

3. Action:

☒ ADOPTION ☐ AMENDMENT ☐ REPEAL

4. Rule exempt from RRC review?

☐ Yes. Cite authority:

☒ No

5. Rule automatically subject to legislative review?

☒ Yes. Cite authority: S.L. 2014-4 § 2.(a)

☐ No

6. Notice for Proposed Rule:

☒ Notice Required

Notice of Text published on: 7/15/14

Link to Agency notice: <http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings>

Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14

Adoption by agency on: 11/14/14

☐ Notice not required under G.S.:

Adoption by agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ Yes

Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ No

8. Fiscal impact (check all that apply):

☐ State funds affected

☐ Environmental permitting of DOT affected and analysis submitted to Board of Transportation

☐ Local funds affected

☐ Substantial economic impact (≥\$1,000,000)

☐ Approved by OSBM

☒ No fiscal note required

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☐ Agency

☐ Court order / cite:

☐ Federal statute / cite:

☐ Federal regulation / cite:

☒ Legislation enacted by the General Assembly

Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4

☐ Petition for rule-making

☐ Other:

9B. Explain: Session Law 2012-143 directed the MEC to adopt rules that would protect public health and safety; protect public and private property; protect and conserve the State's air, water, and other natural resources; promote economic development and expand employment opportunities; and provide for the productive and efficient development of the State's oil and gas resources. After reviewing the current regulations of the State, the mandate in SL 2012-143, and information from studies about the operation and potential impacts of modern oil and gas exploration and production activities, the MEC is proposing to adopt 124 new rules and to repeal 10 others rules in order to appropriately regulate the oil and gas industry for the purpose of oil and gas exploration and development.

10. Rule-making Coordinator: Robert B. Josey Jr.

Address: 1612 Mail Service Center
Raleigh, NC 27699-1612

Phone: 919-707-9239

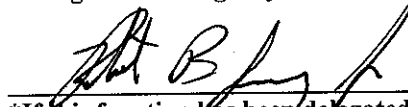
E-Mail: robert.josey@ncdenr.gov

Agency Contact, if any: Jennifer Everett

Phone: 919-707-8614

E-Mail: Jennifer.everett@ncdenr.gov

11. Signature of Agency Head* or Rule-making Coordinator:



*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.

Typed Name: Robert B. Josey Jr.

Title: DEMLR/MEC Rule-making Coordinator

RRC AND OAH USE ONLY

Action taken:

- ☐ RRC Extended period of review:
- ☐ RRC determined substantial changes:
- ☐ Withdrawn by agency
- ☐ Subject to Legislative Review
- ☐ Other:

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SUBMISSION FOR PERMANENT RULE

ORIGINAL

NOV 21 2014

1. Rule-Making Agency: Mining and Energy Commission

2. Rule citation & name (name not required for repeal): 15A NCAC 05H .0705, Order and Record of Proceeding

3. Action:

☒ **ADOPTION** ☐ **AMENDMENT** ☐ **REPEAL**

4. Rule exempt from RRC review?

☐ **Yes. Cite authority:**

☒ **No**

5. Rule automatically subject to legislative review?

☒ **Yes. Cite authority:** S.L. 2014-4 § 2.(a)

☐ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**

Notice of Text published on: 7/15/14

Link to Agency notice: <http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings>

Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14

Adoption by agency on: 11/14/14

☐ **Notice not required under G.S.:**

Adoption by agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**

Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact (check all that apply):

☐ **State funds affected**

☐ **Environmental permitting of DOT affected and analysis submitted to Board of Transportation**

☐ **Local funds affected**

☐ **Substantial economic impact (≥\$1,000,000)**

☐ **Approved by OSBM**

☒ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☐ **Agency**

☐ **Court order / cite:**

☐ **Federal statute / cite:**

☐ **Federal regulation / cite:**

☒ **Legislation enacted by the General Assembly**

Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4

☐ **Petition for rule-making**

☐ **Other:**

9B. Explain: Session Law 2012-143 directed the MEC to adopt rules that would protect public health and safety; protect public and private property; protect and conserve the State's air, water, and other natural resources; promote economic development and expand employment opportunities; and provide for the productive and efficient development of the State's oil and gas resources. After reviewing the current regulations of the State, the mandate in SL 2012-143, and information from studies about the operation and potential impacts of modern oil and gas exploration and production activities, the MEC is proposing to adopt 124 new rules and to repeal 10 others rules in order to appropriately regulate the oil and gas industry for the purpose of oil and gas exploration and development.

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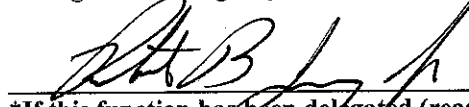
E-Mail: robert.josey@ncdenr.gov

Agency Contact, if any: Jennifer Everett

Phone: 919-707-8614

E-Mail: Jennifer.everett@ncdenr.gov

11. Signature of Agency Head* or Rule-making Coordinator:



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Typed Name: Robert B. Josey Jr.

Title: DEMLR/MEC Rule-making Coordinator

RRC AND OAH USE ONLY

Action taken:

☐ **RRC Extended period of review:**

☐ **RRC determined substantial changes:**

☐ **Withdrawn by agency**

☐ **Subject to Legislative Review**

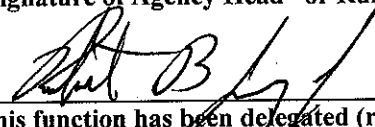
☐ **Other:**

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SUBMISSION FOR PERMANENT RULE

ORIGINAL

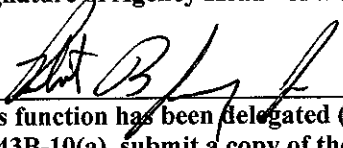
NOV 21 2014

1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .0706, Administrative and Judicial Review of Commission Decision	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No.
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION	
9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div>	
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RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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 OFFICE OF
 ADMIN HEARINGS

SUBMISSION FOR PERMANENT RULE

ORIGINAL
NOV 21 2014

1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .0707, Form and Contents of Request to Maintain Confidential Information	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: Session Law 2012-143 directed the MEC to adopt rules that would protect public health and safety; protect public and private property; protect and conserve the State's air, water, and other natural resources; promote economic development and expand employment opportunities; and provide for the productive and efficient development of the State's oil and gas resources. After reviewing the current regulations of the State, the mandate in SL 2012-143, and information from studies about the operation and potential impacts of modern oil and gas exploration and production activities, the MEC is proposing to adopt 124 new rules and to repeal 10 others rules in order to appropriately regulate the oil and gas industry for the purpose of oil and gas exploration and development.	
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RRC AND OAH USE ONLY	
Action taken: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="width: 40%;"> <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other: </div> <div style="width: 55%; text-align: right;"> <div style="writing-mode: vertical-rl; transform: rotate(180deg);"> FILED 2014 NOV 21 PM 12:55 OFFICE OF ADMIN HEARINGS </div> </div> </div>	

SUBMISSION FOR PERMANENT RULE

ORIGINAL

NOV 21 2014

1. Rule-Making Agency: Mining and Energy Commission

2. Rule citation & name (name not required for repeal): 15A NCAC 05H .0708, Disposition Of Confidential Information Request

3. Action:

☒ ADOPTION ☐ AMENDMENT ☐ REPEAL

4. Rule exempt from RRC review?

☐ Yes. Cite authority:

☒ No

5. Rule automatically subject to legislative review?

☒ Yes. Cite authority: S.L. 2014-4 § 2.(a)

☐ No

6. Notice for Proposed Rule:

☒ Notice Required

Notice of Text published on: 7/15/14

Link to Agency notice: <http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings>

Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14

Adoption by agency on: 11/14/14

☐ Notice not required under G.S.:

Adoption by agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ Yes

Agency submitted request for consultation on:

Consultation not required. Cite authority:

☒ No

8. Fiscal impact (check all that apply):

☐ State funds affected

☐ Environmental permitting of DOT affected and analysis submitted to Board of Transportation

☐ Local funds affected

☐ Substantial economic impact (≥\$1,000,000)

☐ Approved by OSBM

☒ No fiscal note required

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☐ Agency

☐ Court order / cite:

☐ Federal statute / cite:

☐ Federal regulation / cite:

☒ Legislation enacted by the General Assembly

Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4

☐ Petition for rule-making

☐ Other:

9B. Explain: Session Law 2012-143 directed the MEC to adopt rules that would protect public health and safety; protect public and private property; protect and conserve the State's air, water, and other natural resources; promote economic development and expand employment opportunities; and provide for the productive and efficient development of the State's oil and gas resources. After reviewing the current regulations of the State, the mandate in SL 2012-143, and information from studies about the operation and potential impacts of modern oil and gas exploration and production activities, the MEC is proposing to adopt 124 new rules and to repeal 10 others rules in order to appropriately regulate the oil and gas industry for the purpose of oil and gas exploration and development.

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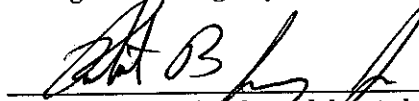
E-Mail: robert.josey@ncdenr.gov

Agency Contact, if any: Jennifer Everett

Phone: 919-707-8614

E-Mail: Jennifer.everett@ncdenr.gov

11. Signature of Agency Head* or Rule-making Coordinator:



*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.

Typed Name: Robert B. Josey Jr.

Title: DEMLR/MEC Rule-making Coordinator

RRC AND OAH USE ONLY

Action taken:

☐ RRC Extended period of review:

☐ RRC determined substantial changes:

☐ Withdrawn by agency

☐ Subject to Legislative Review

☐ Other:

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SUBMISSION FOR PERMANENT RULE

ORIGINAL

NOV 21 2014

1. Rule-Making Agency: Mining and Energy Commission

2. Rule citation & name (name not required for repeal): 15A NCAC 05H .0709, Notice to the Commission of Loss of Confidential Status

3. Action:

☒ **ADOPTION** ☐ **AMENDMENT** ☐ **REPEAL**

4. Rule exempt from RRC review?

☐ **Yes. Cite authority:**

☒ **No**

5. Rule automatically subject to legislative review?

☒ **Yes. Cite authority:** S.L. 2014-4 § 2.(a)

☐ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**

Notice of Text published on: 7/15/14

Link to Agency notice: <http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings>

Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14

Adoption by agency on: 11/14/14

☐ **Notice not required under G.S.:**

Adoption by agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**

Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact (check all that apply):

☐ **State funds affected**

☐ **Environmental permitting of DOT affected and analysis submitted to Board of Transportation**

☐ **Local funds affected**

☐ **Substantial economic impact (≥\$1,000,000)**

☐ **Approved by OSBM**

☒ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☐ **Agency**

☐ **Court order / cite:**

☐ **Federal statute / cite:**

☐ **Federal regulation / cite:**

☒ **Legislation enacted by the General Assembly**

Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4

☐ **Petition for rule-making**

☐ **Other:**

9B. Explain: Session Law 2012-143 directed the MEC to adopt rules that would protect public health and safety; protect public and private property; protect and conserve the State's air, water, and other natural resources; promote economic development and expand employment opportunities; and provide for the productive and efficient development of the State's oil and gas resources. After reviewing the current regulations of the State, the mandate in SL 2012-143, and information from studies about the operation and potential impacts of modern oil and gas exploration and production activities, the MEC is proposing to adopt 124 new rules and to repeal 10 others rules in order to appropriately regulate the oil and gas industry for the purpose of oil and gas exploration and development.

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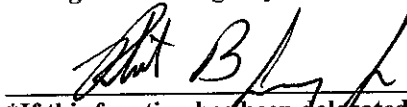
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Phone: 919-707-8614

E-Mail: Jennifer.everett@ncdenr.gov

11. Signature of Agency Head* or Rule-making Coordinator:



**If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.*

Typed Name: Robert B. Josey Jr.

Title: DEMLR/MEC Rule-making Coordinator

RRC AND OAH USE ONLY

Action taken:

☐ **RRC Extended period of review:**

☐ **RRC determined substantial changes:**

☐ **Withdrawn by agency**

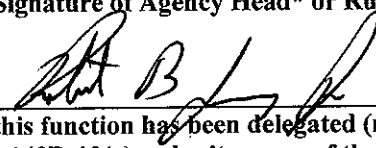
☐ **Subject to Legislative Review**

☐ **Other:**

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SUBMISSION FOR PERMANENT RULE

ORIGINAL

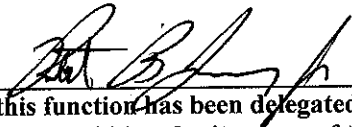
1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .0801, Purpose and Scope	
NOV 21 2014	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
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RRC AND OAH USE ONLY	
Action taken:	
<input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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 OFFICE OF
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SUBMISSION FOR PERMANENT RULE

ORIGINAL

NOV 21 2014

1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .0802, Commencement of Proceedings	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: Session Law 2012-143 directed the MEC to adopt rules that would protect public health and safety; protect public and private property; protect and conserve the State's air, water, and other natural resources; promote economic development and expand employment opportunities; and provide for the productive and efficient development of the State's oil and gas resources. After reviewing the current regulations of the State, the mandate in SL 2012-143, and information from studies about the operation and potential impacts of modern oil and gas exploration and production activities, the MEC is proposing to adopt 124 new rules and to repeal 10 others rules in order to appropriately regulate the oil and gas industry for the purpose of oil and gas exploration and development.	
10. Rule-making Coordinator: Robert B. Josey Jr. Address: 1612 Mail Service Center Raleigh, NC 27699-1612 Phone: 919-707-9239 E-Mail: robert.josey@ncdenr.gov Agency Contact, if any: Jennifer Everett Phone: 919-707-8614 E-Mail: Jennifer.everett@ncdenr.gov	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center;">  <hr/> </div> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Robert B. Josey Jr. Title: DEMLR/MEC Rule-making Coordinator
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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 OFFICE OF
 ADMIN HEARINGS

SUBMISSION FOR PERMANENT RULE

ORIGINAL

NOV 21 2014

1. Rule-Making Agency: Mining and Energy Commission

2. Rule citation & name (name not required for repeal): 15A NCAC 05H .0803, Notice of Proceedings

3. Action:

☒ ADOPTION ☐ AMENDMENT ☐ REPEAL

4. Rule exempt from RRC review?

☐ Yes. Cite authority:

☒ No

5. Rule automatically subject to legislative review?

☒ Yes. Cite authority: S.L. 2014-4 § 2.(a)

☐ No

6. Notice for Proposed Rule:

☒ Notice Required

Notice of Text published on: 7/15/14

Link to Agency notice: <http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings>

Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14

Adoption by agency on: 11/14/14

☐ Notice not required under G.S.:

Adoption by agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ Yes

Agency submitted request for consultation on:

Consultation not required. Cite authority:

☒ No

8. Fiscal impact (check all that apply):

☐ State funds affected

☐ Environmental permitting of DOT affected and analysis submitted to Board of Transportation

☐ Local funds affected

☐ Substantial economic impact (≥\$1,000,000)

☐ Approved by OSBM

☒ No fiscal note required

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☐ Agency

☐ Court order / cite:

☐ Federal statute / cite:

☐ Federal regulation / cite:

☒ Legislation enacted by the General Assembly

Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4

☐ Petition for rule-making

☐ Other:

9B. Explain: Session Law 2012-143 directed the MEC to adopt rules that would protect public health and safety; protect public and private property; protect and conserve the State's air, water, and other natural resources; promote economic development and expand employment opportunities; and provide for the productive and efficient development of the State's oil and gas resources. After reviewing the current regulations of the State, the mandate in SL 2012-143, and information from studies about the operation and potential impacts of modern oil and gas exploration and production activities, the MEC is proposing to adopt 124 new rules and to repeal 10 others rules in order to appropriately regulate the oil and gas industry for the purpose of oil and gas exploration and development.

10. Rule-making Coordinator: Robert B. Josey Jr.

Address: 1612 Mail Service Center
Raleigh, NC 27699-1612

Phone: 919-707-9239

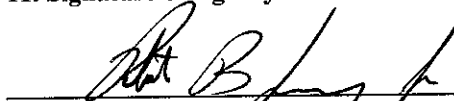
E-Mail: robert.josey@ncdenr.gov

Agency Contact, if any: Jennifer Everett

Phone: 919-707-8614

E-Mail: Jennifer.everett@ncdenr.gov

11. Signature of Agency Head* or Rule-making Coordinator:



*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.

Typed Name: Robert B. Josey Jr.

Title: DEMLR/MEC Rule-making Coordinator

RRC AND OAH USE ONLY

Action taken:

☐ RRC Extended period of review:

☐ RRC determined substantial changes:

☐ Withdrawn by agency

☐ Subject to Legislative Review

☐ Other:

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 OFFICE OF
 ADMIN HEARINGS

SUBMISSION FOR PERMANENT RULE

ORIGINAL

1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .0804, Public Hearing to be Held	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
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RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

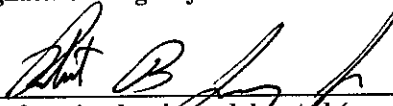
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OFFICE OF
ADMIN HEARINGS

SUBMISSION FOR PERMANENT RULE

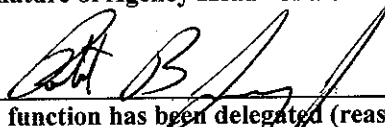
ORIGINAL

1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .0805, Notice of Public Hearing	
NOV 21 2014	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION	
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RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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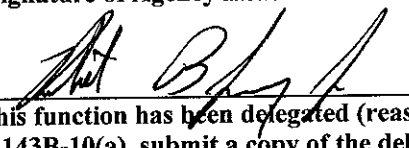
SUBMISSION FOR PERMANENT RULE

ORIGINAL

1. Rule-Making Agency: Mining and Energy Commission		NOV 21 2014
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .0806, Conduct the Hearing		
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL		
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No	
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required	
9. REASON FOR ACTION		
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RRC AND OAH USE ONLY		
Action taken: <div style="display: flex; justify-content: space-between;"> <div style="width: 60%;"> <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other: </div> <div style="width: 35%; text-align: center;"> <div style="writing-mode: vertical-rl; transform: rotate(180deg); font-weight: bold; font-size: 1.5em;">FILED</div> <div style="writing-mode: vertical-rl; transform: rotate(180deg); font-weight: bold; font-size: 0.8em;">OFFICE OF ADMIN HEARINGS</div> <div style="writing-mode: vertical-rl; transform: rotate(180deg); font-weight: bold; font-size: 0.8em;">2014 NOV 21 PM 12:56</div> </div> </div>		

SUBMISSION FOR PERMANENT RULE

ORIGINAL

1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .0807, Witnesses	
NOV 21 2014	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
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RRC AND OAH USE ONLY	
Action taken:	
<input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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OFFICE OF
ADMIN HEARINGS

SUBMISSION FOR PERMANENT RULE

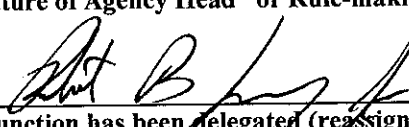
ORIGINAL

1. Rule-Making Agency: Mining and Energy Commission		NOV 21 2014
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .0808, Commission's Decision		
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL		
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No	
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required	
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RRC AND OAH USE ONLY		
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:		

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 ADMIN HEARINGS

SUBMISSION FOR PERMANENT RULE

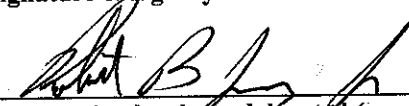
ORIGINAL

1. Rule-Making Agency: Mining and Energy Commission		NOV 21 2014
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .0901, Enforcement		
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL		
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No	
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required	
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9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 50%;"> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div>		
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RRC AND OAH USE ONLY		
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:		

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 2014 NOV 21 PM 12:57
 OFFICE OF
 ADMIN HEARINGS

SUBMISSION FOR PERMANENT RULE

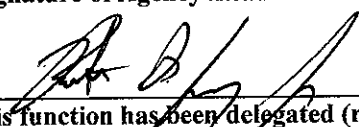
ORIGINAL

1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1001, Purpose and Scope	
NOV 21 2014	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
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RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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 NOV 21 PM 12:59
 OFFICE OF
 ADMIN HEARINGS

SUBMISSION FOR PERMANENT RULE

ORIGINAL

1. Rule-Making Agency: Mining and Energy Commission		NOV 21 2014
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1002, Notice of Assessment		
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL		
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No	
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required	
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RRC AND OAH USE ONLY		
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:		

OFFICE OF
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 2014 NOV 21 PM 12:59
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SUBMISSION FOR PERMANENT RULE

ORIGINAL

1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1003, Payment of Assessment	
NOV 21 2014	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
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RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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 2014 NOV 21 PM 12:59
 OFFICE OF
 ADMIN HEARINGS

SUBMISSION FOR PERMANENT RULE

ORIGINAL

NOV 21 2014

1. Rule-Making Agency: Mining and Energy Commission

2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1004, Administrative Remedies

3. Action:

☒ ADOPTION ☐ AMENDMENT ☐ REPEAL

4. Rule exempt from RRC review?

☐ Yes. Cite authority:

☒ No

5. Rule automatically subject to legislative review?

☒ Yes. Cite authority: S.L. 2014-4 § 2.(a)

☐ No

6. Notice for Proposed Rule:

☒ Notice Required

Notice of Text published on: 7/15/14

Link to Agency notice: <http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings>

Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14

Adoption by agency on: 11/14/14

☐ Notice not required under G.S.:

Adoption by agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ Yes

Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ No

8. Fiscal impact (check all that apply):

☐ State funds affected

☐ Environmental permitting of DOT affected and analysis submitted to Board of Transportation

☐ Local funds affected

☐ Substantial economic impact (≥\$1,000,000)

☐ Approved by OSBM

☒ No fiscal note required

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☐ Agency

☐ Court order / cite:

☐ Federal statute / cite:

☐ Federal regulation / cite:

☒ Legislation enacted by the General Assembly

Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4

☐ Petition for rule-making

☐ Other:

9B. Explain: Session Law 2012-143 directed the MEC to adopt rules that would protect public health and safety; protect public and private property; protect and conserve the State's air, water, and other natural resources; promote economic development and expand employment opportunities; and provide for the productive and efficient development of the State's oil and gas resources. After reviewing the current regulations of the State, the mandate in SL 2012-143, and information from studies about the operation and potential impacts of modern oil and gas exploration and production activities, the MEC is proposing to adopt 124 new rules and to repeal 10 others rules in order to appropriately regulate the oil and gas industry for the purpose of oil and gas exploration and development.

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Raleigh, NC 27699-1612

Phone: 919-707-9239

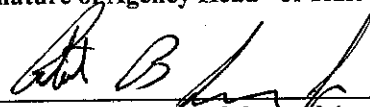
E-Mail: robert.josey@ncdenr.gov

Agency Contact, if any: Jennifer Everett

Phone: 919-707-8614

E-Mail: Jennifer.everett@ncdenr.gov

11. Signature of Agency Head* or Rule-making Coordinator:



*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.

Typed Name: Robert B. Josey Jr.

Title: DEMLR/MEC Rule-making Coordinator

RRC AND OAH USE ONLY

Action taken:

☐ RRC Extended period of review:

☐ RRC determined substantial changes:

☐ Withdrawn by agency

☐ Subject to Legislative Review

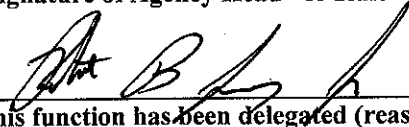
☐ Other:

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 OFFICE OF
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SUBMISSION FOR PERMANENT RULE

ORIGINAL

NOV 21 2014

1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1005, Report to the Commission	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
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9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: Session Law 2012-143 directed the MEC to adopt rules that would protect public health and safety; protect public and private property; protect and conserve the State's air, water, and other natural resources; promote economic development and expand employment opportunities; and provide for the productive and efficient development of the State's oil and gas resources. After reviewing the current regulations of the State, the mandate in SL 2012-143, and information from studies about the operation and potential impacts of modern oil and gas exploration and production activities, the MEC is proposing to adopt 124 new rules and to repeal 10 others rules in order to appropriately regulate the oil and gas industry for the purpose of oil and gas exploration and development.	
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RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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 2014 NOV 21 PM 12: 59
 OFFICE OF
 ADMIN HEARINGS

SUBMISSION FOR PERMANENT RULE

ORIGINAL

NOV 21 2014

1. Rule-Making Agency: Mining and Energy Commission

2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1101, Exploration and Geophysical Surveys

3. Action:

☒ ADOPTION ☐ AMENDMENT ☐ REPEAL

4. Rule exempt from RRC review?

☐ Yes. Cite authority:

☒ No

5. Rule automatically subject to legislative review?

☒ Yes. Cite authority: S.L. 2014-4 § 2.(a)

☐ No

6. Notice for Proposed Rule:

☒ Notice Required

Notice of Text published on: 7/15/14

Link to Agency notice: <http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings>

Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14

Adoption by agency on: 11/14/14

☐ Notice not required under G.S.:

Adoption by agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ Yes

Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ No

8. Fiscal impact (check all that apply):

☐ State funds affected

☐ Environmental permitting of DOT affected and analysis submitted to Board of Transportation

☐ Local funds affected

☐ Substantial economic impact (≥\$1,000,000)

☐ Approved by OSBM

☒ No fiscal note required

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☐ Agency

☐ Court order / cite:

☐ Federal statute / cite:

☐ Federal regulation / cite:

☒ Legislation enacted by the General Assembly

Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4

☐ Petition for rule-making

☐ Other:

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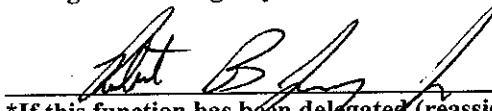
E-Mail: robert.josey@ncdenr.gov

Agency Contact, if any: Jennifer Everett

Phone: 919-707-8614

E-Mail: Jennifer.everett@ncdenr.gov

11. Signature of Agency Head* or Rule-making Coordinator:



*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.

Typed Name: Robert B. Josey Jr.

Title: DEMLR/MEC Rule-making Coordinator

RRC AND OAH USE ONLY

Action taken:

☐ RRC Extended period of review:

☐ RRC determined substantial changes:

☐ Withdrawn by agency

☐ Subject to Legislative Review

☐ Other:

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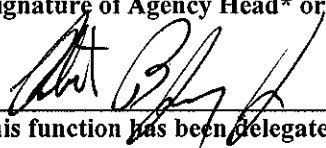
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SUBMISSION FOR PERMANENT RULE

ORIGINAL

NOV 21 2014

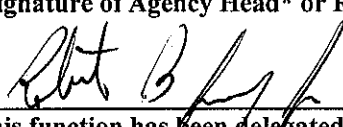
1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1201, Purpose and Scope	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
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RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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 2014 NOV 21 PM 12:59
 OFFICE OF
 ADMIN HEARINGS

SUBMISSION FOR PERMANENT RULE

ORIGINAL

NOV 21 2014

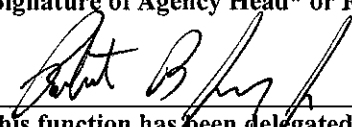
1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1202, Application for Drilling Unit Requirements	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
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RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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SUBMISSION FOR PERMANENT RULE

ORIGINAL

NOV 21 2014

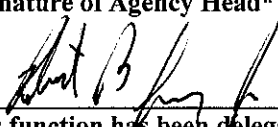
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RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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SUBMISSION FOR PERMANENT RULE

ORIGINAL

NOV 21 2014

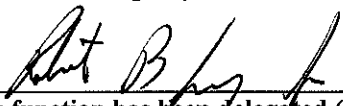
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2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1204, Denial or Modification of Drilling Unit Application	
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4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
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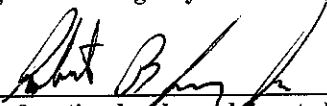
NOV 21 2014

1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1205, Well Spacing Requirements For Resources in Unconventional Reservoirs	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
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Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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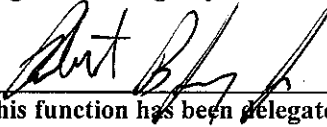
ORIGINAL
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1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1206, Well Spacing Requirements for Resources in Conventional Reservoirs	
3. Action: X ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: X No	5. Rule automatically subject to legislative review? X Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
6. Notice for Proposed Rule: X Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
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SUBMISSION FOR PERMANENT RULE

ORIGINAL

NOV 21 2014

1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1301, Purpose and Scope	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
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SUBMISSION FOR PERMANENT RULE

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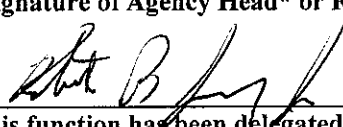
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1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1302, Oil or Gas Operations Financial Responsibility Ownership	
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6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
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10. Rule-making Coordinator: Robert B. Josey Jr. Address: 1612 Mail Service Center Raleigh, NC 27699-1612 Phone: 919-707-9239 E-Mail: robert.josey@ncdenr.gov Agency Contact, if any: Jennifer Everett Phone: 919-707-8614 E-Mail: Jennifer.everett@ncdenr.gov	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center; margin-top: 10px;"> </div> <hr/> <small>*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.</small> Typed Name: Robert B. Josey Jr. Title: DEMLR/MEC Rule-making Coordinator
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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SUBMISSION FOR PERMANENT RULE

NOV 21 2014

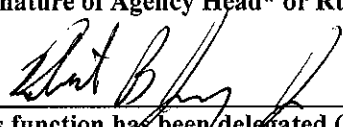
1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1303, Oil or Gas Well Permit Application	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
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RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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SUBMISSION FOR PERMANENT RULE

ORIGINAL

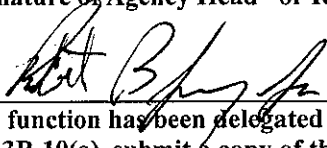
NOV 21 2014

1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1304, Contents of Oil or Gas Well Permit Application	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
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RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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SUBMISSION FOR PERMANENT RULE

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NOV 21 2014

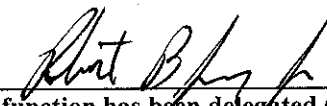
1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1305, Emergency Response Planning	
3. Action: X ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: X No	5. Rule automatically subject to legislative review? X Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
6. Notice for Proposed Rule: X Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
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RRC AND OAH USE ONLY	
Action taken:	
<input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1306, Fees	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
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RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

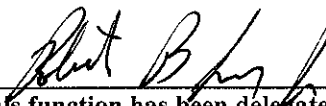
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SUBMISSION FOR PERMANENT RULE

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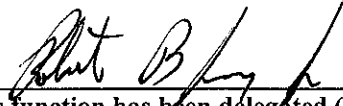
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2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1307, Application Review Process	
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4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: X No	5. Rule automatically subject to legislative review? X Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
6. Notice for Proposed Rule: X Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: X No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM X No fiscal note required
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Action taken: <div style="display: flex; flex-direction: column; gap: 5px;"> <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other: </div>	

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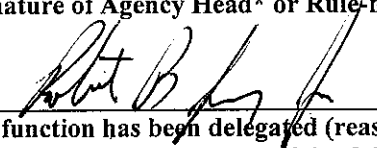
NOV 21 2014

1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1308, Permit Conditions	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
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Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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 OFFICE OF
 ADMIN HEARINGS
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SUBMISSION FOR PERMANENT RULE

ORIGINAL

1. Rule-Making Agency: Mining and Energy Commission		NOV 21 2014
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1309, Denial of Application		
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL		
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No	
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:		
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RRC AND OAH USE ONLY		
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:		

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 ADMIN HEARINGS

SUBMISSION FOR PERMANENT RULE

ORIGINAL

NOV 21 2014

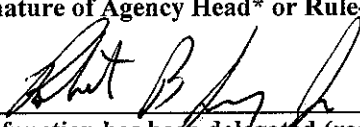
1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1310, Permit Modifications	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
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SUBMISSION FOR PERMANENT RULE

ORIGINAL

NOV 21 2014

1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1311, Permit Transfers	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
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RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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SUBMISSION FOR PERMANENT RULE

ORIGINAL

1. Rule-Making Agency: Mining and Energy Commission		NOV 21 2014
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1312, Permit Expiration		
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL		
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No	
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required	
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RRC AND OAH USE ONLY		
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:		

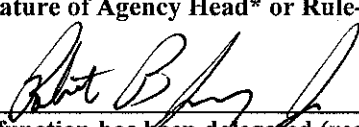
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SUBMISSION FOR PERMANENT RULE

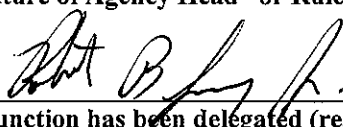
ORIGINAL

1. Rule-Making Agency: Mining and Energy Commission		NOV 21 2014
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1313, Permit Suspension or Revocation		
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL		
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No	
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Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:		

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SUBMISSION FOR PERMANENT RULE

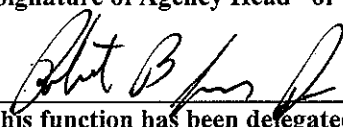
ORIGINAL

1. Rule-Making Agency: Mining and Energy Commission		NOV 21 2014
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1314, Permit Release		
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL		
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No	
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SUBMISSION FOR PERMANENT RULE

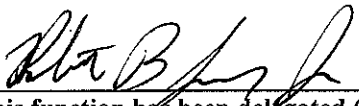
ORIGINAL

1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1401, Purpose and Scope	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
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SUBMISSION FOR PERMANENT RULE

ORIGINAL

1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1402, Bonding Requirements NOV 21 2014	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
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7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
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10. Rule-making Coordinator: Robert B. Josey Jr. Address: 1612 Mail Service Center Raleigh, NC 27699-1612 Phone: 919-707-9239 E-Mail: robert.josey@ncdenr.gov Agency Contact, if any: Jennifer Everett Phone: 919-707-8614 E-Mail: Jennifer.everett@ncdenr.gov	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center; font-size: 1.5em; font-family: cursive;">  </div> <hr/> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Robert B. Josey Jr. Title: DEMLR/MEC Rule-making Coordinator
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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 OFFICE OF
 ADMIN HEARINGS

SUBMISSION FOR PERMANENT RULE

ORIGINAL

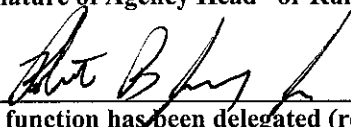
NOV 21 2014

1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1403, Oil or Gas Well Plugging and Abandonment Bond	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
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RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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SUBMISSION FOR PERMANENT RULE

ORIGINAL

1. Rule-Making Agency: Mining and Energy Commission		NOV 21 2014
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1404, Disturbed Land Bond		
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL		
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No	
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required	
9. REASON FOR ACTION		
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RRC AND OAH USE ONLY		
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:		

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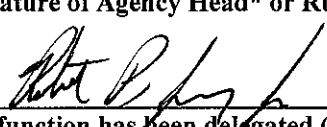
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ADMIN HEARINGS

SUBMISSION FOR PERMANENT RULE

ORIGINAL

NOV 21 2014

1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1405, Environmental Damage Bond	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
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RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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 OFFICE OF
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SUBMISSION FOR PERMANENT RULE

ORIGINAL

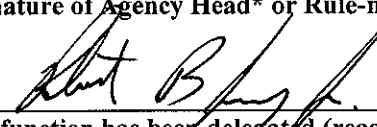
NOV 21 2014

1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1406, Inspection and Approval of Reclamation for Bond Release or Forfeiture	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
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RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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 OFFICE OF
 ADMIN HEARINGS

SUBMISSION FOR PERMANENT RULE

ORIGINAL

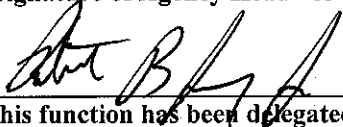
1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1407, Bond Forfeiture Proceedings NOV 21 2014	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
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Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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ADMIN HEARINGS

SUBMISSION FOR PERMANENT RULE

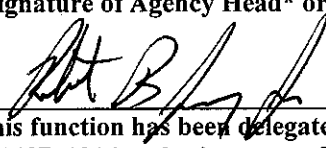
1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1501, Purpose and Scope	
NOV 21 2014	
3. Action: X ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: X No	5. Rule automatically subject to legislative review? X Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
6. Notice for Proposed Rule: X Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
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RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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 ADMIN HEARINGS
 2014 NOV 21 PM 1:04
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SUBMISSION FOR PERMANENT RULE

ORIGINAL

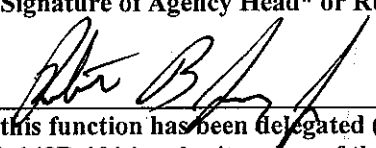
NOV 21 2014

1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1502, Well Site Construction Standards	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
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9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: Session Law 2012-143 directed the MEC to adopt rules that would protect public health and safety; protect public and private property; protect and conserve the State's air, water, and other natural resources; promote economic development and expand employment opportunities; and provide for the productive and efficient development of the State's oil and gas resources. After reviewing the current regulations of the State, the mandate in SL 2012-143, and information from studies about the operation and potential impacts of modern oil and gas exploration and production activities, the MEC is proposing to adopt 124 new rules and to repeal 10 others rules in order to appropriately regulate the oil and gas industry for the purpose of oil and gas exploration and development.	
10. Rule-making Coordinator: Robert B. Josey Jr. Address: 1612 Mail Service Center Raleigh, NC 27699-1612 Phone: 919-707-9239 E-Mail: robert.josey@ncdenr.gov Agency Contact, if any: Jennifer Everett Phone: 919-707-8614 E-Mail: Jennifer.everett@ncdenr.gov	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center; margin-top: 20px;">  </div> <p><small>*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.</small></p> Typed Name: Robert B. Josey Jr. Title: DEMLR/MEC Rule-making Coordinator
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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SUBMISSION FOR PERMANENT RULE

ORIGINAL

1. Rule-Making Agency: Mining and Energy Commission		NOV 21 2014
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1503, Access Road Construction Standards		
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL		
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No	
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:		
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RRC AND OAH USE ONLY		
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:		

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SUBMISSION FOR PERMANENT RULE

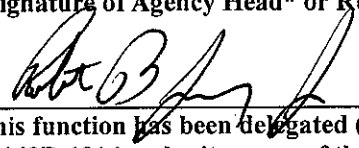
ORIGINAL

1. Rule-Making Agency: Mining and Energy Commission		NOV 21 2014
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1504, Pit and Tank Construction Standards		
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL		
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No	
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Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:		

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SUBMISSION FOR PERMANENT RULE

ORIGINAL

1. Rule-Making Agency: Mining and Energy Commission		NOV 21 2014
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1601, Setback Distances		
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL		
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No	
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required	
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RRC AND OAH USE ONLY		
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:		

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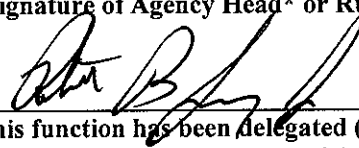
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HEARINGS

SUBMISSION FOR PERMANENT RULE

ORIGINAL

NOV 21 2014

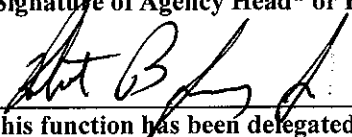
1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1602, Production Facility Safety Setback Distances	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
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Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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 HEARINGS

SUBMISSION FOR PERMANENT RULE

ORIGINAL

NOV 21 2014

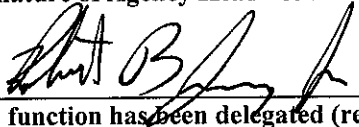
1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1603, Variance for Setbacks	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
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SUBMISSION FOR PERMANENT RULE

ORIGINAL

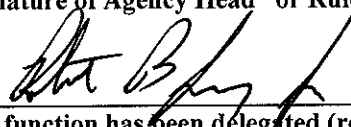
NOV 21 2014

1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1604, Prohibited Substances	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
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SUBMISSION FOR PERMANENT RULE

ORIGINAL

1. Rule-Making Agency: Mining and Energy Commission		NOV 21 2014
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1605, Casing and Equipment Requirements		
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL		
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No	
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9B. Explain: Session Law 2012-143 directed the MEC to adopt rules that would protect public health and safety; protect public and private property; protect and conserve the State's air, water, and other natural resources; promote economic development and expand employment opportunities; and provide for the productive and efficient development of the State's oil and gas resources. After reviewing the current regulations of the State, the mandate in SL 2012-143, and information from studies about the operation and potential impacts of modern oil and gas exploration and production activities, the MEC is proposing to adopt 124 new rules and to repeal 10 others rules in order to appropriately regulate the oil and gas industry for the purpose of oil and gas exploration and development.		
10. Rule-making Coordinator: Robert B. Josey Jr. Address: 1612 Mail Service Center Raleigh, NC 27699-1612 Phone: 919-707-9239 E-Mail: robert.josey@ncdenr.gov Agency Contact, if any: Jennifer Everett Phone: 919-707-8614 E-Mail: Jennifer.everett@ncdenr.gov	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center; margin-top: 20px;">  </div> <p><small>*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.</small></p> Typed Name: Robert B. Josey Jr. Title: DEMLR/MEC Rule-making Coordinator	
RRC AND OAH USE ONLY		
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:		

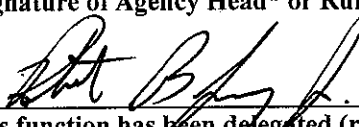
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ADMINISTRATIVE
HEARINGS

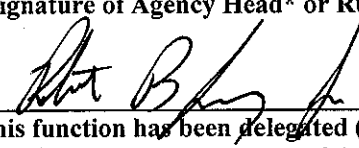
SUBMISSION FOR PERMANENT RULE

ORIGINAL

1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1606, Cementing Standards	
NOV 21 2014	
3. Action: X ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: X No	5. Rule automatically subject to legislative review? X Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
6. Notice for Proposed Rule: X Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: X No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM X No fiscal note required
9. REASON FOR ACTION	
9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> X Legislation enacted by the General Assembly Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div>	
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RRC AND OAH USE ONLY	
Action taken: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other: </div> <div style="width: 45%; text-align: right;"> <div style="writing-mode: vertical-rl; transform: rotate(180deg);">OFFICE OF ADMIN HEARINGS</div> <div style="writing-mode: vertical-rl; transform: rotate(180deg);">2014 NOV 21 PM 1:05</div> <div style="writing-mode: vertical-rl; transform: rotate(180deg);">FILED</div> </div> </div>	

SUBMISSION FOR PERMANENT RULE

ORIGINAL

1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1607, Well Installation	
NOV 21 2014	
3. Action: X ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: X No	5. Rule automatically subject to legislative review? X Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
6. Notice for Proposed Rule: X Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: X No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM X No fiscal note required
9. REASON FOR ACTION	
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9B. Explain: Session Law 2012-143 directed the MEC to adopt rules that would protect public health and safety; protect public and private property; protect and conserve the State's air, water, and other natural resources; promote economic development and expand employment opportunities; and provide for the productive and efficient development of the State's oil and gas resources. After reviewing the current regulations of the State, the mandate in SL 2012-143, and information from studies about the operation and potential impacts of modern oil and gas exploration and production activities, the MEC is proposing to adopt 124 new rules and to repeal 10 others rules in order to appropriately regulate the oil and gas industry for the purpose of oil and gas exploration and development.	
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RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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 OFFICE OF
 ADMIN HEARINGS

SUBMISSION FOR PERMANENT RULE

ORIGINAL

NOV 21 2014

1. Rule-Making Agency: Mining and Energy Commission

2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1608, Well Installation for Conductor Casing

3. Action:

☒ ADOPTION ☐ AMENDMENT ☐ REPEAL

4. Rule exempt from RRC review?

☐ Yes. Cite authority:

☒ No

5. Rule automatically subject to legislative review?

☒ Yes. Cite authority: S.L. 2014-4 § 2.(a)

☐ No

6. Notice for Proposed Rule:

☒ Notice Required

Notice of Text published on: 7/15/14

Link to Agency notice: <http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings>

Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14

Adoption by agency on: 11/14/14

☐ Notice not required under G.S.:

Adoption by agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ Yes

Agency submitted request for consultation on:

Consultation not required. Cite authority:

☒ No

8. Fiscal impact (check all that apply):

☐ State funds affected

☐ Environmental permitting of DOT affected and analysis submitted to Board of Transportation

☐ Local funds affected

☐ Substantial economic impact (≥\$1,000,000)

☐ Approved by OSBM

☒ No fiscal note required

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☐ Agency

☐ Court order / cite:

☐ Federal statute / cite:

☐ Federal regulation / cite:

☒ Legislation enacted by the General Assembly

Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4

☐ Petition for rule-making

☐ Other:

9B. Explain: Session Law 2012-143 directed the MEC to adopt rules that would protect public health and safety; protect public and private property; protect and conserve the State's air, water, and other natural resources; promote economic development and expand employment opportunities; and provide for the productive and efficient development of the State's oil and gas resources. After reviewing the current regulations of the State, the mandate in SL 2012-143, and information from studies about the operation and potential impacts of modern oil and gas exploration and production activities, the MEC is proposing to adopt 126 new rules and to repeal 10 others rules in order to appropriately regulate the oil and gas industry for the purpose of oil and gas exploration and development.

10. Rule-making Coordinator: Robert B. Josey Jr.

Address: 1612 Mail Service Center

Raleigh, NC 27699-1612

Phone: 919-707-9239

E-Mail: robert.josey@ncdenr.gov

Agency Contact, if any: Jennifer Everett

Phone: 919-707-8614

E-Mail: Jennifer.everett@ncdenr.gov

11. Signature of Agency Head* or Rule-making Coordinator:

[Signature]
*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.

Typed Name: Robert B. Josey Jr.

Title: DEMLR/MEC Rule-making Coordinator

RRC AND OAH USE ONLY

Action taken:

☐ RRC Extended period of review:

☐ RRC determined substantial changes:

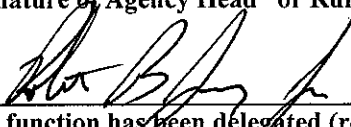
☐ Withdrawn by agency

☐ Subject to Legislative Review

☐ Other:

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 ADMIN HEARINGS

SUBMISSION FOR PERMANENT RULE

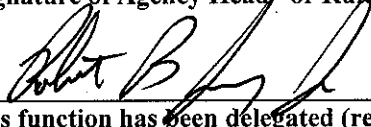
1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1609, Well Installation for Surface Casing	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
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RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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 OFFICE OF
 ADMIN HEARINGS

SUBMISSION FOR PERMANENT RULE

ORIGINAL

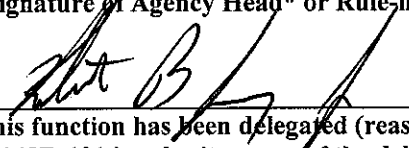
NOV 21 2014

1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1610, Well Installation for Intermediate Casing	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
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Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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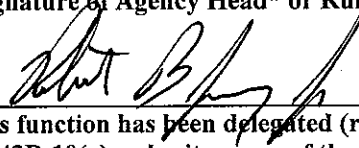
SUBMISSION FOR PERMANENT RULE

NOV 21 2014

1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1611, Well Installation for Production Casing	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
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Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

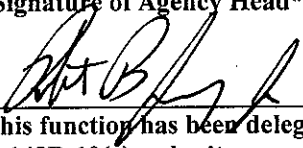
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 ADMIN HEARINGS

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Mining and Energy Commission		NOV 21 2014
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1612, Well Installation Variance		
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL		
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No	
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10. Rule-making Coordinator: Robert B. Josey Jr. Address: 1612 Mail Service Center Raleigh, NC 27699-1612 Phone: 919-707-9239 E-Mail: robert.josey@ncdenr.gov Agency Contact, if any: Jennifer Everett Phone: 919-707-8614 E-Mail: Jennifer.everett@ncdenr.gov	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center; margin-top: 10px;">  </div> <hr/> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Robert B. Josey Jr. Title: DEMLR/MEC Rule-making Coordinator	
RRC AND OAH USE ONLY		
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:		

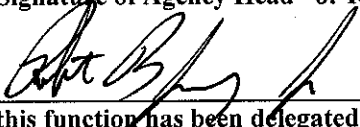
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SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Mining and Energy Commission		NOV 21 2014
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1613, Well Stimulation Requirements		
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL		
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No	
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required	
9. REASON FOR ACTION		
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RRC AND OAH USE ONLY		
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:		

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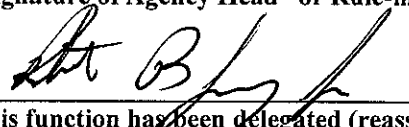
SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Mining and Energy Commission		NOV 21 2014
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1614, Wellhead Requirements		
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL		
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No	
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Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:		

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SUBMISSION FOR PERMANENT RULE

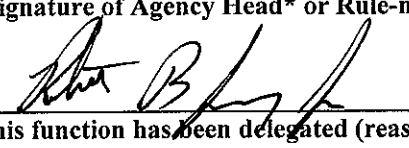
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1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1615, Well Site Maintenance and Security	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
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Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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SUBMISSION FOR PERMANENT RULE

ORIGINAL

1. Rule-Making Agency: Mining and Energy Commission		NOV 21 2014
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1616, Well-Control and Blowout Prevention		
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL		
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No	
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required	
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RRC AND OAH USE ONLY		
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:		

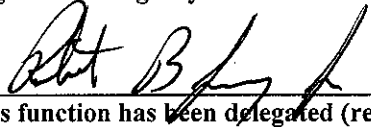
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SUBMISSION FOR PERMANENT RULE

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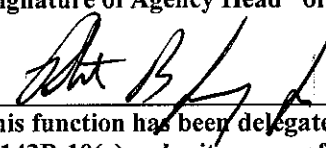
1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1617, Visual Impact Mitigation	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
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SUBMISSION FOR PERMANENT RULE

ORIGINAL

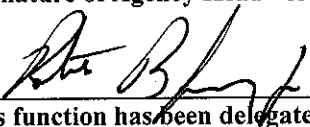
NOV 21 2014

1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1618, Requirements for Permanent Closure of Oil or Gas Wells	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
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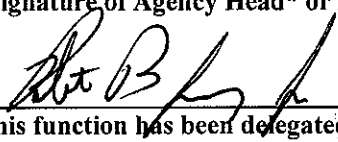
NOV 21 2014

1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1619, Notification and Reporting Requirements for Permanent Closure of Oil or Gas Wells	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
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RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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SUBMISSION FOR PERMANENT RULE

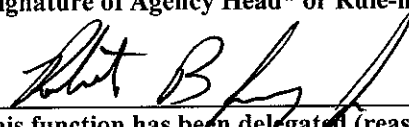
ORIGINAL
NOV 21 2014

1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1620, requirements for Shutting-in Oil or Gas Wells	
3. Action: X ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: X No	5. Rule automatically subject to legislative review? X Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
6. Notice for Proposed Rule: X Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: X No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM X No fiscal note required
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SUBMISSION FOR PERMANENT RULE

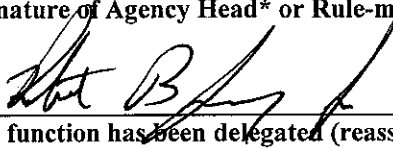
ORIGINAL
NOV 21 2014

1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1621, Requirements for Temporary Abandonment or Oil or Gas Wells	
3. Action: X ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: X No	5. Rule automatically subject to legislative review? X Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
6. Notice for Proposed Rule: X Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: X No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM X No fiscal note required
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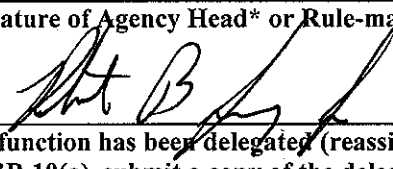
NOV 21 2014

1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1622, Defective Casing, Defective Cementing, and Well Blowout Notifications	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
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7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
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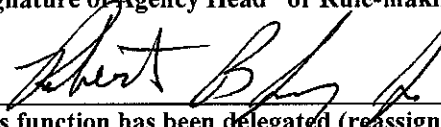
SUBMISSION FOR PERMANENT RULE

NOV 21 2014

1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1623, Well Drilling Report	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
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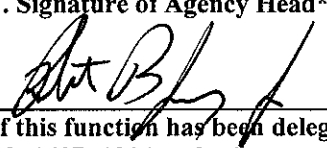
SUBMISSION FOR PERMANENT RULE

NOV 21 2014

1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1624, Well Stimulation Report	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
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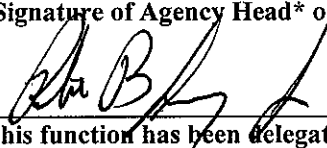
SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1701, Chemical Disclosure Requirements	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
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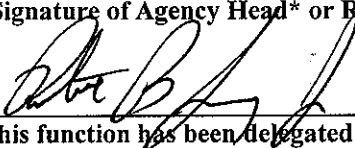
ORIGINAL
NOV 21 2014

1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1702, Required Disclosures	
3. Action: X ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: X No	5. Rule automatically subject to legislative review? X Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
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SUBMISSION FOR PERMANENT RULE

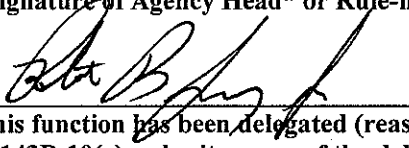
NOV 21 2014

1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1703, Confidential Information Protection	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION	
9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div>	
9B. Explain: Session Law 2012-143 directed the MEC to adopt rules that would protect public health and safety; protect public and private property; protect and conserve the State's air, water, and other natural resources; promote economic development and expand employment opportunities; and provide for the productive and efficient development of the State's oil and gas resources. After reviewing the current regulations of the State, the mandate in SL 2012-143, and information from studies about the operation and potential impacts of modern oil and gas exploration and production activities, the MEC is proposing to adopt 124 new rules and to repeal 10 others rules in order to appropriately regulate the oil and gas industry for the purpose of oil and gas exploration and development.	
10. Rule-making Coordinator: Robert B. Josey Jr. Address: 1612 Mail Service Center Raleigh, NC 27699-1612 Phone: 919-707-9239 E-Mail: robert.josey@ncdenr.gov Agency Contact, if any: Jennifer Everett Phone: 919-707-8614 E-Mail: Jennifer.everett@ncdenr.gov	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center;">  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Robert B. Josey Jr. Title: DEMLR/MEC Rule-making Coordinator </div>
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

ORIGINAL

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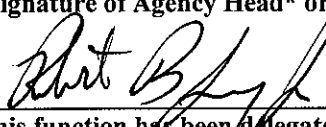
NOV 21 2014

1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1704, Disclosure of Confidential Information	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
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Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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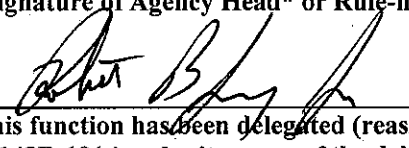
NOV 21 2014

1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1801, Purpose and Scope	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
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RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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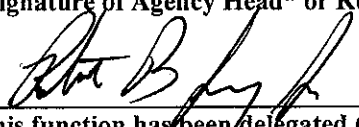
ORIGINAL
NOV 21 2014

1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1802, Water Supply Testing Notifications	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
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7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
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Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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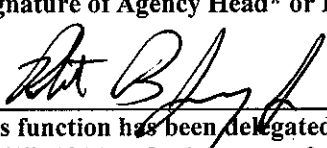
ORIGINAL
NOV 21 2014

1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1803, Water Supply Testing Procedures	
3. Action: X ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: X No	5. Rule automatically subject to legislative review? X Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
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RRC AND OAH USE ONLY	
Action taken:	
<input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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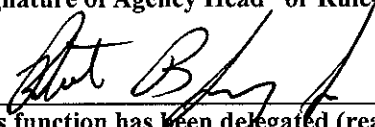
1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1804, Request for Investigation of Water Supply	
3. Action: X ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: X No	5. Rule automatically subject to legislative review? X Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
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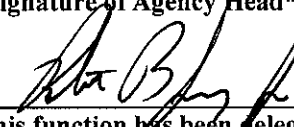
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1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1805, Reporting of Test Results	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
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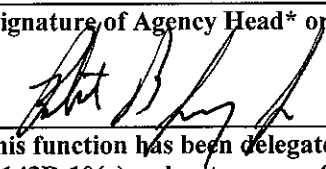
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1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1806, Record Keeping and Reporting	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
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7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
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RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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SUBMISSION FOR PERMANENT RULE

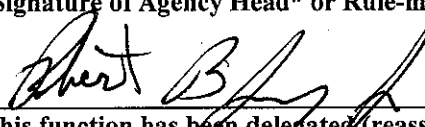
NOV 21 2014

1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1807, Tracer Technology	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
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RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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SUBMISSION FOR PERMANENT RULE

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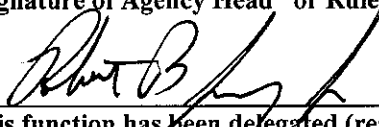
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2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1901, Water Management Plan Requirements	
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6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
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Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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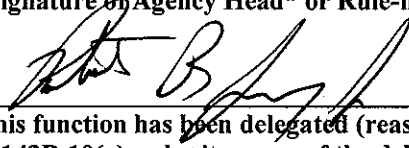
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1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1902, Surface Water Source Documentation	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
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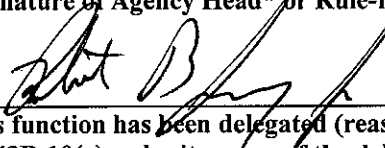
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1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1903, Groundwater Source Documentation	
3. Action: X ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: X No	5. Rule automatically subject to legislative review? X Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
6. Notice for Proposed Rule: X Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: X No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM X No fiscal note required
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RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

SUBMISSION FOR PERMANENT RULE

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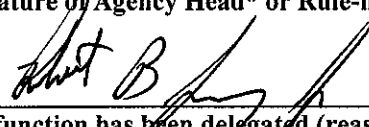
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1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1904, Purchased Water Source Documentation	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
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Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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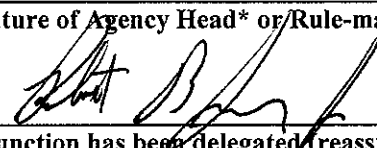
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2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1905, Alternative Water Sources	
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4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
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Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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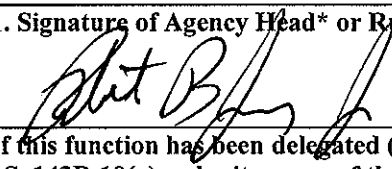
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1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1906, Reporting	
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4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
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RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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SUBMISSION FOR PERMANENT RULE

NOV 21 2014

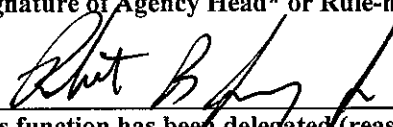
1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .2001, Purpose and Scope	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
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ORIGINAL

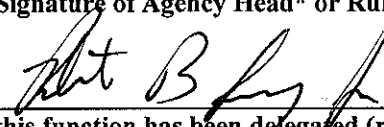
NOV 21 2014

1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .2002, Exploration and Production Waste Management Plan Requirements	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
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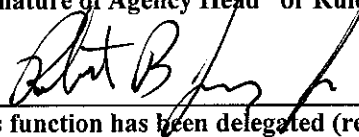
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1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .2003, Exploration and Production Waste Disposal	
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4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
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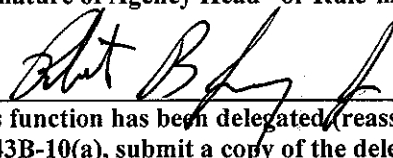
1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .2004, Pit Closure Requirements	
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4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
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SUBMISSION FOR PERMANENT RULE

ORIGINAL


NOV 21 2014

1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .2005, Spills and Releases	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
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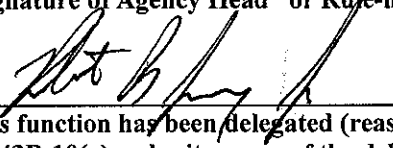
ORIGINAL
NOV 21 2014

1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .2006, Safety and Security at Pits and Tanks	
3. Action: X ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: X No	5. Rule automatically subject to legislative review? X Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
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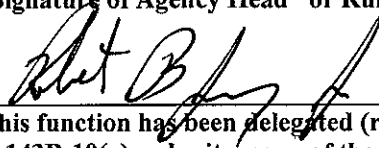
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1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .2007, Monitoring and Reporting	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
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9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div>	
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10. Rule-making Coordinator: Robert B. Josey Jr. Address: 1612 Mail Service Center Raleigh, NC 27699-1612 Phone: 919-707-9239 E-Mail: robert.josey@ncdenr.gov Agency Contact, if any: Jennifer Everett Phone: 919-707-8614 E-Mail: Jennifer.everett@ncdenr.gov	11. Signature of Agency Head* or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Robert B. Josey Jr. Title: DEMLR/MEC Rule-making Coordinator
RRC AND OAH USE ONLY	
Action taken:	
<input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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SUBMISSION FOR PERMANENT RULE

ORIGINAL
NOV 21 2014

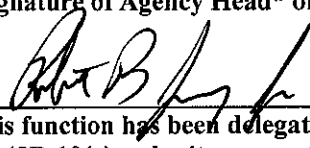
1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .2101, Purpose and Scope	
3. Action: X ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: X No	5. Rule automatically subject to legislative review? X Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
6. Notice for Proposed Rule: X Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: X No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM X No fiscal note required
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RRC AND OAH USE ONLY	
Action taken:	
<input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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SUBMISSION FOR PERMANENT RULE

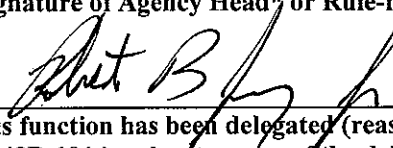
ORIGINAL

NOV 21 2014

1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .2102, Reclamation Plan Requirements	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: Session Law 2012-143 directed the MEC to adopt rules that would protect public health and safety; protect public and private property; protect and conserve the State's air, water, and other natural resources; promote economic development and expand employment opportunities; and provide for the productive and efficient development of the State's oil and gas resources. After reviewing the current regulations of the State, the mandate in SL 2012-143, and information from studies about the operation and potential impacts of modern oil and gas exploration and production activities, the MEC is proposing to adopt 124 new rules and to repeal 10 others rules in order to appropriately regulate the oil and gas industry for the purpose of oil and gas exploration and development.	
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RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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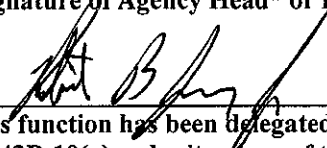
SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Mining and Energy Commission		NOV 21 2014
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .2103, Timing and Notice of Reclamation		
3. Action: X ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL		
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: X No	5. Rule automatically subject to legislative review? X Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No	
6. Notice for Proposed Rule: X Notice Required Notice of Text published on: 8/1/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: X No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM X No fiscal note required	
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RRC AND OAH USE ONLY		
Action taken:		
<input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:		

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SUBMISSION FOR PERMANENT RULE

NOV 21 2014

1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .2201, Operation and Production Requirements for Oil or Gas Wells	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input checked="" type="checkbox"/> Yes. Cite authority: S.L. 2014-4 § 2.(a) <input type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 7/15/14 Link to Agency notice: http://portal.ncdenr.org/web/mining-and-energy-commission/public-comment-meetings Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14 Adoption by agency on: 11/14/14 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
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