## ORIGINAL

#### SUBMISSION FOR PERMANENT RULE

NOV 2 1 2014

1. Rule-Making Agency: Mining and Energy Commission		
2. Rule citation & name (name not required for repeal): 15A NCAC 05D .0101 and .01030111		
3. Action:		
ADOPTION AMENDMENT X REPEAL		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)	
X No	□ No	
6. Notice for Proposed Rule:		
X Notice Required		
Notice of Text published on: 7/15/14	ing and anarous survivies to 11:	
Link to Agency notice: http://portal.ncdenr.org/web/min Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14	ing-and-energy-commission/public-comment-meetings	
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)	8. Fiscal impact (check all that apply):	
	☐ State funds affected	
Yes	Environmental permitting of DOT affected and	
Agency submitted request for consultation on:	analysis submitted to Board of Transportation	
Consultation not required. Cite authority:	Local funds affected	
X No	Substantial economic impact (≥\$1,000,000)	
A 110	Approved by OSBM	
·	X No fiscal note required	
0 PEAC	ON FOR ACTION	
9A. What prompted this action? Check all that apply:	ON FOR ACTION	
Agency	V. I origination amounted by the Course 1.4	
Court order / cite:	X Legislation enacted by the General Assembly  Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4	
Federal statute / cite:	Petition for rule-making	
Federal regulation / cite:	Other:	
9B. Explain: Session Law 2012-143 directed the MEC to add	opt rules that would protect public health and safety; protect public and	
private property; protect and conserve the State's air, water, ar	id 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 S	SL 2012-143, and information from studies about the operation and	
potential impacts of modern oil and gas exploration and produ	ction 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	11. Signature of Agency Head* or Rule-making Coordinator:	
Raleigh, NC 27699-1612	A O /	
Phone: 919-707-9239		
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to	
= 13-13-15 tootsyssey @neueni.gov	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Agency Contact, if any: Jennifer Everett	ois. Tied 10(a), submit a copy of the delegation with this form.	
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.	
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinator	
RRC AND OAH USE ONLY		
Action taken:	<u> </u>	
☐ RRC Extended period of review:	27 2	
RRC determined substantial changes:	10 2	
Withdrawn by agency	Sign -	
Subject to Legislative Review		
Other:	<u> </u>	

ORIGINAL NOV 21 2014

1. Rule-Making Agency: Mining and Energy Commission	MOA S T ZOÍA	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .0101, Purpose and Scope		
2 Traits stanton as name (name not required for repeat). 13A NCAC 03H .0101, Pulpose and Scope		
3. Action:		
X ADOPTION AMENDMENT REPEAL		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)	
	□ 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/min	ing-and-energy-commission/public-comment-meetings	
Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14	mg and onorgy commission public-comment-incomings	
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)	8. Fiscal impact (check all that apply):	
☐ Yes	State funds affected Environmental permitting of DOT affected and	
Agency submitted request for consultation on: Consultation not required. Cite authority:	analysis submitted to Board of Transportation	
Consultation not required. The authority:	Local funds affected	
X No	Substantial economic impact (≥\$1,000,000)	
	Approved by OSBM  X No fiscal note required	
9. REASO 9A. What prompted this action? Check all that apply:	ON FOR ACTION	
Agency	V. Logislation appeared by the Community	
Court order / cite:	X Legislation enacted by the General Assembly  Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4	
Federal statute / cite:	Petition for rule-making	
Federal regulation / cite:	Other:	
private property: protect and conserve the State's air water or	pt rules that would protect public health and safety; protect public and dother 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 S	SL 2012-143, and information from studies about the operation and	
potential impacts of modern oil and gas exploration and produc	ction activities, the MEC is proposing to adopt 124 new rules and to	
development.	and gas industry for the purpose of oil and gas exploration and	
10. Rule-making Coordinator: Robert B. Josey Jr.	11. Signature of Agency Head* or Rule-making Coordinator:	
Address: 1612 Mail Service Center	A A A A A A A A A A A A A A A A A A A	
Raleigh, NC 27699-1612	MX/X/	
Phone: 919-707-9239 E-Mail: robert.josey@ncdenr.gov	*164: 6-4: 1	
	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.	
Agency Contact, if any: Jennifer Everett	ons. 1103-10(a), submit a copy of the delegation with this form.	
	Typed Name: Robert B. Josey Jr.	
	Title: DEMLR/MEC Rule-making Coordinator	
Action taken:	OAH USE ONLY	
RRC Extended period of review:		
RRC determined substantial changes: Withdrawn by agency		
Subject to Legislative Review	표정 2	
Other:	And In	
	3 3 11	

1. Rule-Making Agency: Mining and Energy Commission	NUV 2 1 2014	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .0102, Terms of Reference and Definitions		
3. Action: X ADOPTION	· · · · · · · · · · · · · · · · · · ·	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)	
X No	□ 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  Notice not required under G.S.: Adoption by agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact (check all that apply):	
	☐ State funds affected	
Yes	Environmental permitting of DOT affected and	
Agency submitted request for consultation on:  Consultation not required. Cite authority:	analysis submitted to Board of Transportation	
Consultation not required. Cite authority.	Local funds affected	
X No	Substantial economic impact (≥\$1,000,000)	
	Approved by OSBM  X No fiscal note required	
	A No fiscat note required	
9. REASO 9A. What prompted this action? Check all that apply:	ON FOR ACTION	
Agency	X Legislation enacted by the General Assembly	
Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4	
☐ Federal statute / cite:	Petition for rule-making	
Federal regulation / cite:  98 Explain: Session Law 2012-143 directed the MEC to add	Other:  opt rules that would protect public health and safety; protect public and	
private property; protect and conserve the State's air, water, at	nd 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 S	SL 2012-143, and information from studies about the operation and	
potential impacts of modern oil and gas exploration and produ	ction activities, the MEC is proposing to adopt 124 new rules and to	
	and gas industry for the purpose of oil and gas exploration and	
development.  10. Rule-making Coordinator: Robert B. Josey Jr.	11 Circumstance of Assembly and the Dallands of Assembly and the Control of Assembly a	
Address: 1612 Mail Service Center	11. Signature of Agency Head* or Rule-making Coordinator:	
Raleigh, NC 27699-1612	MH 2/	
Phone: 919-707-9239	Blow Day K	
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to	
Accord Contact if annu Louise Vannut	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Agency Contact, if any: Jennifer Everett Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.	
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinator	
	OAH USE ONLY	
Action taken:		
	$\leq_{\mathcal{O}} \leq  \mathcal{I} $	
DDC Extended movied of section		
RRC Extended period of review:  RRC determined substantial changes:	Fo 2 [	
Withdrawn by agency		
Subject to Legislative Review		
Other:		

## ORIGINAL

1. Rule-Making Agency: Mining and Energy Commission	NOV 2 1 2014	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .0201, Forms		
3. Action:		
X ADOPTION AMENDMENT REPEAL		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)	
X No	□ 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  Notice not required under G.S.: Adoption by agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact (check all that apply):	
☐ Yes Agency submitted request for consultation on: Consultation not required. Cite authority:  X No	<ul> <li>State funds affected</li> <li>Environmental permitting of DOT affected and analysis submitted to Board of Transportation</li> <li>Local funds affected</li> <li>Substantial economic impact (≥\$1,000,000)</li> <li>Approved by OSBM</li> <li>X No fiscal note required</li> </ul>	
9A. What prompted this action? Check all that apply:	ON FOR ACTION	
☐ Agency ☐ Court order / cite:	X Legislation enacted by the General Assembly	
Federal statute / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4  Petition for rule-making	
Federal regulation / cite:	Other:	
9B. Explain: Session Law 2012-143 directed the MEC to add	opt 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.	11. Signature of Agency Head* or Rule-making Coordinator:	
Address: 1612 Mail Service Center Raleigh, NC 27699-1612	MADI	
Phone: 919-707-9239	KIN BA	
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.	
Agency Contact, if any: Jennifer Everett	oiss 143D 10(a), submit a copy of the delegation with this form.	
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.	
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinator	
RRC AND OAH USE ONLY Action taken:		
Action tuned.	22	
	ADMINING 2	
RRC Extended period of review:	돌 <u></u>	
RRC determined substantial changes: Withdrawn by agency	Participation N	
Subject to Legislative Review		
Other:		

## ORIGINAL NOV 21 2014

1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 1:	5A NCAC 05H .0202, Record Keeping & Reporting
3. Action:	
X ADOPTION AMENDMENT REPEAL	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)
X No	□ 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/min	ing-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)	8. Fiscal impact (check all that apply):
☐ Yes	State funds affected
Agency submitted request for consultation on:	Environmental permitting of DOT affected and
Consultation not required. Cite authority:	analysis submitted to Board of Transportation
,	Local funds affected
X No	Substantial economic impact (≥\$1,000,000)
	Approved by OSBM
	X No fiscal note required
	ON FOR ACTION
9A. What prompted this action? Check all that apply:	
Agency	X Legislation enacted by the General Assembly
Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4
Federal statute / cite:	Petition for rule-making
Federal regulation / cite:	Other:
9B. Explain: Session Law 2012-143 directed the MEC to add	opt adopting rules that would protect public health and safety; protect
public and private property; protect and conserve the State's a	ir, water, and other natural resources; promote economic development
After reviewing the current regulations of the State, the manda	oductive and efficient development of the State's oil and gas resources. ate in SL 2012-143, and information from studies about the operation
and notential impacts of modern oil and gas exploration and re	roduction 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.	on and Suo massing for the purpose of on this Sub exploration and
10. Rule-making Coordinator: Robert B. Josey Jr.	11. Signature of Agency Head* or Rule-making Coordinator:
Address: 1612 Mail Service Center	
Raleigh, NC 27699-1612	1 / 1 / 1 / 1 / 1 / 1 / 1 / 1 / 1 / 1 /
Phone: 919-707-9239	
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to
	G.S. 143B-10(a), submit a copy of the delegation with this form.
Agency Contact, if any: Jennifer Everett	
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinator  OAH USE ONLY
Action taken:	O CAH USE ONLY
110000 miles	
RRC Extended period of review:	10 2
RRC determined substantial changes:	
Withdrawn by agency	
Subject to Legislative Review	
Other:	<u> </u>

## ORIGINAL

#### SUBMISSION FOR PERMANENT RULE

NOV 2 1 2014

1. Rule-Making Agency: Mining and Energy Commission	MA CT FOIL	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .0203, Inspections		
3. Action: X ADOPTION AMENDMENT REPEAL		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)	
X No	□ 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  Notice not required under G.S.: Adoption by agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact (check all that apply):	
☐ Yes Agency submitted request for consultation on: Consultation not required. Cite authority:  X No	<ul> <li>State funds affected</li> <li>Environmental permitting of DOT affected and analysis submitted to Board of Transportation</li> <li>Local funds affected</li> <li>Substantial economic impact (≥\$1,000,000)</li> <li>Approved by OSBM</li> <li>X No fiscal note required</li> </ul>	
0 DEAS	ON FOR ACTION	
9A. What prompted this action? Check all that apply:	ON FOR ACTION	
Agency	X Legislation enacted by the General Assembly	
Court order / cite: Federal statute / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4	
Federal statute / cite:	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.	11. Signature of Agency Head* or Rule-making Coordinator:	
Address: 1612 Mail Service Center		
Raleigh, NC 27699-1612	MITIES	
Phone: 919-707-9239		
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.	
Agency Contact, if any: Jennifer Everett	(),	
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.	
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinator	
RRC AND OAH USE ONLY		
Action taken:	<b>8</b> € <b>1</b>	
RRC Extended period of review:		
RRC determined substantial changes:	<u> </u>	
Withdrawn by agency	The state of the s	
Subject to Legislative Review	ÍO B II	
Other:	<b>37</b> 5	

# SUBMISSION FOR PERMANENT RULE ORIGINAL

1. Rule-Making Agency: Mining and Energy Commission	NOV 2 1 2014
2. Rule citation & name (name not required for repeal): 1	
3. Action: X ADOPTION AMENDMENT REPEAL	•
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)
X No	No
,	1
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/mir 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:	ing-and-energy-commission/public-comment-meetings
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact (check all that apply):
	State funds affected
Yes	Environmental permitting of DOT affected and
Agency submitted request for consultation on:  Consultation not required. Cite authority:	analysis submitted to Board of Transportation
Consultation not required. Cite authority.	Local funds affected
X No	Substantial economic impact (≥\$1,000,000)
	Approved by OSBM
	X No fiscal note required
9. REAS 9A. What prompted this action? Check all that apply:	ON FOR ACTION
Agency	X Legislation enacted by the General Assembly
Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4
Federal statute / cite:	Petition for rule-making
Federal regulation / cite:	Other: opt adopting rules that would protect public health and safety; protect
	ir, water, and other natural resources; promote economic development
	oductive and efficient development of the State's oil and gas resources.
	ate in SL 2012-143, and information from studies about the operation
	roduction activities, the MEC is proposing to adopt 124 new rules and
	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	11. Signature of Agency Head* or Rule-making Coordinator:
Raleigh, NC 27699-1612	ht () 1
Phone: 919-707-9239	Jahr Bland
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to
	G.S. 143B-10(a), submit a copy of the delegation with this form.
Agency Contact, if any: Jennifer Everett	
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinator
Action taken:	O OAH USE ONLY
Action when.	
	BOTTO STATEMENT OF
RRC Extended period of review:	Amount
RRC determined substantial changes:	
Withdrawn by agency	
Subject to Legislative Review	
Other:	<u> </u>

1. Rule-Making Agency: Mining and Energy Commission		
2. Rule citation & name (name not required for repeal): 15	A NCAC 05H .0401, Procedure for Submission of Petition	
2. Itule citation to hame (name noo required to repress)	, , , , , , , , , , , , , , , , , , , ,	
3. Action:		
X ADOPTION AMENDMENT REPEAL		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)	
X No	□ 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/min	ing-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)	8. Fiscal impact (check all that apply):	
□ Voc	☐ State funds affected	
Yes Agency submitted request for consultation on:	Environmental permitting of DOT affected and	
Consultation not required. Cite authority:	analysis submitted to Board of Transportation	
<b>Consumer 1 2 2</b>	<ul><li>Local funds affected</li><li>Substantial economic impact (≥\$1,000,000)</li></ul>	
X No	Approved by OSBM	
	X No fiscal note required	
	ON FOR ACTION	
9A. What prompted this action? Check all that apply:	W. T. Charles and Add by the Command Accomply	
Agency	X Legislation enacted by the General Assembly Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4	
Court order / cite: Federal statute / cite:	Petition for rule-making	
Federal regulation / cite:	Other:	
9B. Explain: Session Law 2012-143 directed the MEC to add	opt rules that would protect public health and safety; protect public and	
private property; protect and conserve the State's air, water, a	nd 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 produ	action activities, the MEC is proposing to adopt 124 new rules and to	
development.	and gas industry for the purpose of oil and gas exploration and	
10. Rule-making Coordinator: Robert B. Josey Jr.	11. Signature of Agency Head* or Rule-making Coordinator:	
Address: 1612 Mail Service Center		
Raleigh, NC 27699-1612	Wit 1/2 /	
<b>Phone:</b> 919-707-9239	KIND DIT	
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.	
Agency Contact if any Jennifer Everett	G.5. 145B-10(a), submit a copy of the delegation with this form.	
Agency Contact, if any: Jennifer Everett Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.	
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinator	
RRC ANI	O OAH USE ONLY	
Action taken:	*	
	> = 1	
El ppo Forendad poriad of accione		
RRC Extended period of review: RRC determined substantial changes:		
Withdrawn by agency	二世 > 1	
Subject to Legislative Review	The first state of the state of	
Other:	30 3 11	
	Ž <sup>ň</sup> N M	

## ORIGINAL

1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15	5A NCAC 05H .0402, Disposition of Petition NUV 2 1 2014
3. Action:	
X ADOPTION AMENDMENT REPEAL	5. Rule automatically subject to legislative review?
4. Rule exempt from RRC review?	X Yes. Cite authority: S.L. 2014-4 § 2.(a)
Yes. Cite authority:	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/min	ing-and-energy-commission/public-comment-meetings
Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14	mg-and-energy-commission paone-comment movemes
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)	8. Fiscal impact (check all that apply):
☐ Yes	☐ State funds affected
Agency submitted request for consultation on:	Environmental permitting of DOT affected and
Consultation not required. Cite authority:	analysis submitted to Board of Transportation  Local funds affected
-	Substantial economic impact (≥\$1,000,000)
X No	Approved by OSBM
	X No fiscal note required
9. REAS	ON FOR ACTION
9A. What prompted this action? Check all that apply:	
☐ Agency	X Legislation enacted by the General Assembly
Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4
Federal statute / cite:	Petition for rule-making
Federal regulation / cite:	Other: opt rules that would protect public health and safety; protect public and
private property: protect and conserve the State's air, water, a	nd other natural resources; promote economic development and expand
employment opportunities; and provide for the productive and	d 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 produ	action activities, the MEC is proposing to adopt 124 new rules and to
	l and gas industry for the purpose of oil and gas exploration and
development.  10. Rule-making Coordinator: Robert B. Josey Jr.	11. Signature of Agency Head* or Rule-making Coordinator:
Address: 1612 Mail Service Center	
Raleigh, NC 27699-1612	
Phone: 919-707-9239	TO THE STATE OF THE PARTY OF TH
E-Mail: robert.josey@ncdenr.gov	*If this function has been defegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.
Agency Contact, if any: Jennifer Everett	Gib. 1400 XV(W), Submit 1 copy of the Designation
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinator  O OAH USE ONLY
Action taken:	
· .	1 2 1
RRC Extended period of review:	
RRC determined substantial changes:	<u> </u>
Withdrawn by agency	
Subject to Legislative Review	36 5 V
Other:	

## SUBMISSION FOR PERMANENT RULE ORIGINAL

1. Rule-Making Agency: Mining and Energy Commission	HOU o 4 god	
2. Rule citation & name (name not required for repeal): 1	5A NCAC 05H .0501, Form and Contents of Petition 2 1 2014	
3. Action: X ADOPTION AMENDMENT REPEAL		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)	
X No	□ 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  Notice not required under G.S.: Adoption by agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact (check all that apply):	
Yes Agency submitted request for consultation on: Consultation not required. Cite authority:  X No	<ul> <li>State funds affected</li> <li>Environmental permitting of DOT affected and analysis submitted to Board of Transportation</li> <li>Local funds affected</li> <li>Substantial economic impact (≥\$1,000,000)</li> <li>Approved by OSBM</li> <li>X No fiscal note required</li> </ul>	
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply:		
Agency Court order / cite: Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4 Federal statute / cite: Petition for rule-making General Assembly Other:  9B. Explain: Session Law 2012-143 directed the MEC to adopt adopting 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.	11. Signature of Agency Head* or Rule-making Coordinator:	
Address: 1612 Mail Service Center		
Raleigh, NC 27699-1612 <b>Phone:</b> 919-707-9239	John Dlah	
E-Mail: robert.josey@ncdenr.gov	*If this function has been nelegated (reassigned) pursuant to	
Agency Contact, if any: Jennifer Everett	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.	
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinator	
RRC AND OAH USE ONLY		
Action taken:  RRC Extended period of review: RRC determined substantial changes:	MIN HEAR	
Withdrawn by agency		
Subject to Legislative Review		
Other		

## SUBMISSION FOR PERMANENT RULE ORIGINAL

1. Rule-Making Agency: Mining and Energy Commission	NUV 2 1 2014	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .0502, Review by a Committee of the Commission		
2. Maio chanon & name (name not required for repeat). 1.	ALTIOLES COLLINSON, INVIEW OF A COMMISSION	
3. Action:		
X ADOPTION AMENDMENT REPEAL		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)	
X No	□ 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/min	ing-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)	8. Fiscal impact (check all that apply):	
7. Ruie establishes of increases a fee: (See G.S. 12-3.1)		
Yes	State funds affected	
Agency submitted request for consultation on:	Environmental permitting of DOT affected and	
Consultation not required. Cite authority:	analysis submitted to Board of Transportation  Local funds affected	
	Substantial economic impact (≥\$1,000,000)	
X No	Approved by OSBM	
	X No fiscal note required	
	-	
	ON FOR ACTION	
9A. What prompted this action? Check all that apply:		
Agency	X Legislation enacted by the General Assembly	
Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4	
Federal statute / cite:	Petition for rule-making Other:	
Federal regulation / cite:	opt rules that would protect public health and safety; protect public and	
private property: protect and conserve the State's air water as	nd other natural resources; promote economic development and expand	
employment opportunities; and provide for the productive and	l 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 produ	ection 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.	11. Signature of Agency Head* or Rule-making Coordinator:	
Address: 1612 Mail Service Center		
Raleigh, NC 27699-1612	MIT 15/1	
Phone: 919-707-9239	The state of the s	
E-Mail: robert.josey@ncdenr.gov	*If this function has been defegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.	
Agency Contact, if any: Jennifer Everett	G.S. 143D-10(a), Submit a copy of the delegation with this form.	
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.	
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinator	
DDC AND OAH LICE ONLY		
Action taken:	O OAH USE ONLY	
	≥ = !1	
□ RRC Extended period of review:		
RRC Extended period of review:		
RRC determined substantial changes:	THE THE	
Withdrawn by agency		
Subject to Legislative Review		
Other:		

1. Rule-Making Agency: Mining and Energy Commission		
2. Rule citation & name (name not required for repeal): 15	A NCAC 05H .0503, Presentation to the Commission	
• •		
3. Action:		
X ADOPTION AMENDMENT REPEAL		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)	
<del>-</del>	No	
X 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/min	ing-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:		
	8. Fiscal impact (check all that apply):	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	1	
□ Vec	State funds affected	
Yes Agency submitted request for consultation on:	Environmental permitting of DOT affected and	
Consultation not required. Cite authority:	analysis submitted to Board of Transportation	
Consultation not required. Cite authority.	Local funds affected	
X No	Substantial economic impact (≥\$1,000,000)	
A NO	Approved by OSBM	
	X No fiscal note required	
O REAS	ON FOR ACTION	
9A. What prompted this action? Check all that apply:		
	X Legislation enacted by the General Assembly	
Agency	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4	
Court order / cite:	Petition for rule-making	
Federal statute / cite: Federal regulation / cite:	Other:	
D Evaluin Session Law 2012-143 directed the MEC to ad	opt adopting rules that would protect public health and safety; protect	
nublic and private property: protect and conserve the State's a	ir, water, and other natural resources; promote economic development	
and expand employment opportunities; and provide for the pr	oductive and efficient development of the State's oil and gas resources.	
A fler reviewing the current regulations of the State, the mand	ate in SL 2012-143, and information from studies about the operation	
and notential impacts of modern oil and gas exploration and p	roduction 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.	11. Signature of Agency Head* or Rule-making Coordinator:	
Address: 1612 Mail Service Center		
Raleigh, NC 27699-1612	Mt R/	
Phone: 919-707-9239	Khan Ober h	
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to	
	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Agency Contact, if any: Jennifer Everett		
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.	
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinator	
RRC AND OAH USE ONLY		
Action taken:	≥ 2	
Action taken:  RRC Extended period of review:		
RRC Extended period of review:		
RRC determined substantial changes:	→ ここと は 一	
Withdrawn by agency	<b>F</b> 111	
Subject to Legislative Review	무유 모 !!!	
Other:	<u> </u>	

ORIGINAL NOV 21 2014

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		
3. Action: X ADOPTION AMENDMENT REPEAL		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)	
X No	□ 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/mini 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:	ng-and-energy-commission/public-comment-meetings	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact (check all that apply):	
☐ Yes Agency submitted request for consultation on: Consultation not required. Cite authority:  X No	<ul> <li>State funds affected</li> <li>Environmental permitting of DOT affected and analysis submitted to Board of Transportation</li> <li>Local funds affected</li> <li>Substantial economic impact (≥\$1,000,000)</li> <li>Approved by OSBM</li> <li>X No fiscal note required</li> </ul>	
	ON FOR ACTION	
9A. What prompted this action? Check all that apply:  Agency Court order / cite: Federal statute / cite: Federal regulation / cite:  9B. Explain: Session Law 2012-143 directed the MEC to adeprivate property; protect and conserve the State's air, water, are employment opportunities; and provide for the productive and reviewing the current regulations of the State, the mandate in potential impacts of modern oil and gas exploration and produ	X Legislation enacted by the General Assembly Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4 Petition for rule-making Other: Opt rules that would protect public health and safety; protect public and and other natural resources; promote economic development and expand efficient development of the State's oil and gas resources. After SL 2012-143, and information from studies about the operation and action activities, the MEC is proposing to adopt 124 new rules and to and gas industry for the purpose of oil and gas exploration and	
10. Rule-making Coordinator: Robert B. Josey Jr.	11. Signature of Agency Head* or Rule-making Coordinator:	
Address: 1612 Mail Service Center Raleigh, NC 27699-1612 Phone: 919-707-9239	Aut Black	
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.	
Agency Contact, if any: Jennifer Everett		
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.	
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinator	
	O OAH USE ONLY	
Action taken:  RRC Extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review	OFFICE OF RING	
Other:	<u> </u>	

ORIGINAL

NOV 2 1 2014

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:		
X ADOPTION AMENDMENT REPEAL	5. Rule automatically subject to legislative review?	
4. Rule exempt from RRC review?  Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)	
Yes. Cite authority:	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  Notice not required under G.S.: Adoption by agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact (check all that apply):	
☐ Yes Agency submitted request for consultation on: Consultation not required. Cite authority:  X No	<ul> <li>State funds affected</li> <li>Environmental permitting of DOT affected and analysis submitted to Board of Transportation</li> <li>Local funds affected</li> <li>Substantial economic impact (≥\$1,000,000)</li> <li>Approved by OSBM</li> <li>X No fiscal note required</li> </ul>	
9A. What prompted this action? Check all that apply:  Agency Court order / cite:	X Legislation enacted by the General Assembly Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4	
Federal statute / cite:	☐ Petition for rule-making ☐ Other:	
Federal regulation / cite:  9B. Explain: Session Law 2012-143 directed the MEC to add	opt 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.	11. Signature of Agency Head* or Rule-making Coordinator:	
Address: 1612 Mail Service Center Raleigh, NC 27699-1612 Phone: 919-707-9239	Alt Bly L	
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.	
Agency Contact, if any: Jennifer Everett	m IN Dilat Dilata I	
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr. Title: DEMLR/MEC Rule-making Coordinator	
E-Mail: Jennifer.everett@ncdenr.gov	O OAH USE ONLY	
Action taken:		
RRC Extended period of review:	The state of the s	
RRC determined substantial changes:		
Withdrawn by agency		
Subject to Legislative Review		
Other:	<u> </u>	

1. Rule-Making Agency: Mining and Energy Commission		
	A NCAC 05H .0602, Procedures for Public Comment for Rulemaking	
Hearings		
3. Action:		
X ADOPTION AMENDMENT REPEAL	The state of the s	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)	
X No	□ 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  Notice not required under G.S.: Adoption by agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact (check all that apply):	
Yes Agency submitted request for consultation on: Consultation not required. Cite authority:  X No	<ul> <li>State funds affected</li> <li>Environmental permitting of DOT affected and analysis submitted to Board of Transportation</li> <li>Local funds affected</li> <li>Substantial economic impact (≥\$1,000,000)</li> <li>Approved by OSBM</li> <li>X No fiscal note required</li> </ul>	
0 PFASC	ON FOR ACTION	
9A. What prompted this action? Check all that apply:	M FOR ACTION	
☐ Agency ☐ Court order / cite: ☐ Federal statute / cite: ☐ Federal regulation / cite:  9B. Explain: Session Law 2012-143 directed the MEC to ado private property; protect and conserve the State's air, water, an employment opportunities; and provide for the productive and reviewing the current regulations of the State, the mandate in Spotential impacts of modern oil and gas exploration and productive and repeal 10 others rules in order to appropriately regulate the oil development.	X Legislation enacted by the General Assembly Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4 Petition for rule-making Other: ppt rules that would protect public health and safety; protect public and ad other natural resources; promote economic development and expand efficient development of the State's oil and gas resources. After SL 2012-143, and information from studies about the operation and ction activities, the MEC is proposing to adopt 124 new rules and to and gas industry for the purpose of oil and gas exploration and	
10. Rule-making Coordinator: Robert B. Josey Jr.	11. Signature of Agency Head* or Rule-making Coordinator:	
Address: 1612 Mail Service Center	A = Q I I	
Raleigh, NC 27699-1612 <b>Phone:</b> 919-707-9239	That 1/5 1-1	
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.	
Agency Contact, if any: Jennifer Everett	•	
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.	
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinator	
	OAH USE ONLY	
Action taken:		
RRC Extended period of review:	<b>5 量 7</b>	
RRC extended period of review.  RRC determined substantial changes:	A PART TO A PART	
Withdrawn by agency	The second secon	
Subject to Legislative Review	二百二十二十二十二十二十二十二十二十二十二十二十二十二十二十二十二十二十二十二	
Other:	District Control of the Control of t	
	P 1 0/00 11/2014	

NOV 2 1 2014

1. Rule-Making Agency: Mining and Energy Commission	7. 7. 7. 7. 7. 7. 7. 7. 7. 7. 7. 7. 7. 7	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .0603, Requirements of Rulemaking Hearing Officer or Panel		
3. Action: X ADOPTION AMENDMENT REPEAL		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)	
X No	□ 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  Notice not required under G.S.: Adoption by agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact (check all that apply):	
Yes Agency submitted request for consultation on: Consultation not required. Cite authority:  X No	<ul> <li>State funds affected</li> <li>Environmental permitting of DOT affected and analysis submitted to Board of Transportation</li> <li>Local funds affected</li> <li>Substantial economic impact (≥\$1,000,000)</li> <li>Approved by OSBM</li> <li>X No fiscal note required</li> </ul>	
9. REASON FOR ACTION		
private property; protect and conserve the State's air, water, at employment opportunities; and provide for the productive and reviewing the current regulations of the State, the mandate in potential impacts of modern oil and gas exploration and productive.	X Legislation enacted by the General Assembly Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4 Petition for rule-making Other: Opt rules that would protect public health and safety; protect public and not other natural resources; promote economic development and expand efficient development of the State's oil and gas resources. After SL 2012-143, and information from studies about the operation and action activities, the MEC is proposing to adopt 124 new rules and to and gas industry for the purpose of oil and gas exploration and	
10. Rule-making Coordinator: Robert B. Josey Jr. Address: 1612 Mail Service Center	11. Signature of Agency Head* or Rule-making Coordinator:	
Raleigh, NC 27699-1612	Shut 1/2 /	
Phone: 919-707-9239 E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.	
Agency Contact, if any: Jennifer Everett	O.D. TADD-Total acountry a cold or end acredation time and total	
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.	
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinator	
RRC AND OAH USE ONLY		
Action taken:		
RRC Extended period of review:	> 2 -	
RRC determined substantial changes:	ᄝᅩᆥ	
Withdrawn by agency	BO S T	
Subject to Legislative Review		
Other:		
Daymanani	Rule 0400 = 11/2014	

1. Rule-Making Agency: Mining and Energy Commission		
2. Rule citation & name (name not required for repeal): 15	A NCAC 05H 0604 Delegation for Rulemaking Hearings	
2. Aute citation & name (name not required for repeat): 13	A NOAC USIT WOOT, Delegation for Rulemaking Hearings	
3. Action:		
X ADOPTION AMENDMENT REPEAL		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)	
X No	□ 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/mini	ng-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)	8. Fiscal impact (check all that apply):	
☐ Yes	State funds affected	
Agency submitted request for consultation on:	Environmental permitting of DOT affected and	
Consultation not required. Cite authority:	analysis submitted to Board of Transportation  Local funds affected	
	Substantial economic impact (≥\$1,000,000)	
X No	Approved by OSBM	
	X No fiscal note required	
9 REAS	ON FOR ACTION	
9A. What prompted this action? Check all that apply:		
Agency	X Legislation enacted by the General Assembly	
Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4	
Federal statute / cite:	Petition for rule-making	
Federal regulation / cite:	Other:	
9B. Explain: Session Law 2012-143 directed the MEC to add	opt rules that would protect public health and safety; protect public 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	
notential impacts of modern oil and gas exploration and produ	ction activities, the MEC is proposing to adopt 124 new rules and to	
	and gas industry for the purpose of oil and gas exploration and	
development.	11 C' / Charles Health on Dule making Coordinators	
10. Rule-making Coordinator: Robert B. Josey Jr. Address: 1612 Mail Service Center	11. Signature of Agency Head* or Rule-making Coordinator:	
Raleigh, NC 27699-1612		
Phone: 919-707-9239	Kell 15 fm/	
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to	
A CONTRACTOR OF THE STREET	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Agency Contact, if any: Jennifer Everett Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.	
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinator	
RRC AND OAH USE ONLY		
Action taken:		
	D D MANUSCO	
DDC Extended period of review	5 <sub>-</sub> 3 H	
RRC Extended period of review: RRC determined substantial changes:		
Withdrawn by agency	7	
Subject to Legislative Review	The input	
Other:		
Permanent	Rule 0400 – 11/2014	

1. Rule-Making Agency: Mining and Energy Commission	NOV 21 2014
2. Rule citation & name (name not required for repeal): 15	A NCAC 05H, 0605, Authorized Hearing Officers
2. Nuit citation & name (name not required for repeat). 13	
3. Action:	
X ADOPTION AMENDMENT REPEAL	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)
X No	□ 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/mini	ing_end_energy-commission/public-comment-meetings
Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14	mg-and-energy-commission paone comment meetings
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)	8. Fiscal impact (check all that apply):
Yes	State funds affected
Agency submitted request for consultation on:	Environmental permitting of DOT affected and
Consultation not required. Cite authority:	analysis submitted to Board of Transportation  Local funds affected
•	Substantial economic impact (≥\$1,000,000)
X No	Approved by OSBM
	X No fiscal note required
9 REAS	ON FOR ACTION
9A. What prompted this action? Check all that apply:	
Agency	X Legislation enacted by the General Assembly
Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4
Federal statute / cite:	Petition for rule-making
Federal regulation / cite:	Other:
9B. Explain: Session Law 2012-143 directed the MEC to add	opt rules that would protect public health and safety; protect public and nd other natural resources; promote economic development and expand
employment opportunities; and provide for the productive and	l 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
notential impacts of modern oil and gas exploration and produ	action 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.	11. Signature of Agency Head* or Rule-making Coordinator:
10. Rule-making Coordinator: Robert B. Josey Jr. Address: 1612 Mail Service Center	11. Signature of Agency Read of Rule-making Cooldmator.
Raleigh, NC 27699-1612	St. A. I.
Phone: 919-707-9239	and ohn f
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to
7 10 D	G.S. 143B-10(a), submit a copy of the delegation with this form.
Agency Contact, if any: Jennifer Everett  Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinator
RRC ANI	O OAH USE ONLY
Action taken:	
RRC Extended period of review:	
RRC extended period of review.  RRC determined substantial changes:	
Withdrawn by agency	<b>→</b> ≥
Subject to Legislative Review	<b>5</b> ≥ <b>7</b>
Other:	
	The state of the s

ORIGINAL

NOV 2 1 2014

1. Rule-Making Agency: Mining and Energy Commission		
2. Rule citation & name (name not required for repeal): 15	A NCAC 05H .0701, Opportunity for Hearing	
3. Action: X ADOPTION AMENDMENT REPEAL		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)	
X No	□ 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  Notice not required under G.S.: Adoption by agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact (check all that apply):	
Yes Agency submitted request for consultation on: Consultation not required. Cite authority:  X No	<ul> <li>State funds affected</li> <li>Environmental permitting of DOT affected and analysis submitted to Board of Transportation</li> <li>Local funds affected</li> <li>Substantial economic impact (≥\$1,000,000)</li> <li>Approved by OSBM</li> <li>X No fiscal note required</li> </ul>	
9. REASO	ON FOR ACTION	
9A. What prompted this action? Check all that apply:		
Agency  Court order / cite:  Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4  Federal statute / cite:  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.	11. Signature of Agency Head* or Rule-making Coordinator:	
Address: 1612 Mail Service Center Raleigh, NC 27699-1612 Phone: 919-707-9239 E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to	
, , , ,	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Agency Contact, if any: Jennifer Everett	Typed Name: Robert B. Josey Jr.	
Phone: 919-707-8614  E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinator	
RRC ANI	OAH USE ONLY	
Action taken:  RRC Extended period of review:	AN OFFICE ON THE PROPERTY OF T	
RRC determined substantial changes:		
Withdrawn by agency	호 그	
Subject to Legislative Review		
Other:	S S U	

1. Rule-Making Agency: Mining and Energy Commission 2. Rule citation & name (name not required for repeal): 15A NCAC 05H .0702, Parties 3. Action: REPEAL 4. Rule exempt from RRC review? 5. Rule automatically subject to legislative review? X Yes. Cite authority: S.L. 2014-4 § 2.(a) ☐ Yes. Cite authority: □ No X 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 Notice not required under G.S.: Adoption by agency on: 8. Fiscal impact (check all that apply): 7. Rule establishes or increases a fee? (See G.S. 12-3.1) State funds affected ☐ Yes ☐ Environmental permitting of DOT affected and Agency submitted request for consultation on: analysis submitted to Board of Transportation Consultation not required. Cite authority: Local funds affected Substantial economic impact (≥\$1,000,000) X No Approved by OSBM X No fiscal note required 9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: X Legislation enacted by the General Assembly ☐ Agency Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4 Court order / cite: Petition for rule-making Federal statute / cite: Other: Federal regulation / cite: 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. 11. Signature of Agency Head\* or Rule-making Coordinator: 10. Rule-making Coordinator: Robert B. Josey Jr. Address: 1612 Mail Service Center Raleigh, NC 27699-1612 Phone: 919-707-9239 \*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. E-Mail: robert.josey@ncdenr.gov Agency Contact, if any: Jennifer Everett Typed Name: Robert B. Josey Jr. Phone: 919-707-8614 Title: DEMLR/MEC Rule-making Coordinator E-Mail: Jennifer.everett@ncdenr.gov RRC AND OAH USE ONLY Action taken: RRC Extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:

1. Rule-Making Agency: Mining and Energy Commission NOV 2 1 2014		
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .0703, Procedure for Submission		
3. Action:		
X ADOPTION AMENDMENT REPEAL		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
_	X Yes. Cite authority: S.L. 2014-4 § 2.(a)	
Yes. Cite authority:		
X No	□ No	
6. Notice for Proposed Rule:	And the second s	
o. Notice for a roposed Ruic.		
X Notice Required		
Notice of Text published on: 7/15/14		
Link to Agency notice: http://portal.ncdenr.org/web/min	ing-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:		
	8. Fiscal impact (check all that apply):	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)		
	State funds affected	
☐ Yes	Environmental permitting of DOT affected and	
Agency submitted request for consultation on:	analysis submitted to Board of Transportation	
Consultation not required. Cite authority:	Local funds affected	
	Substantial economic impact (≥\$1,000,000)	
X No	Approved by OSBM	
	X No fiscal note required	
	A 110 fiscal note required	
9. REAS	ON FOR ACTION	
9A. What prompted this action? Check all that apply:		
	X Legislation enacted by the General Assembly	
Agency	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4	
Court order / cite:		
Federal statute / cite:	Petition for rule-making	
Federal regulation / cite:	Other:	
9B. Explain: Session Law 2012-143 directed the MEC to ad	opt rules that would protect public health and safety; protect public and	
private property; protect and conserve the State's air, water, a	nd other natural resources; promote economic development and expand	
employment opportunities; and provide for the productive and	l 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	
notential impacts of modern oil and gas exploration and production	action activities, the MEC is proposing to adopt 124 new rules and to	
repeal 10 others rules in order to appropriately regulate the oi	and gas industry for the purpose of oil and gas exploration and	
development.		
10. Rule-making Coordinator: Robert B. Josey Jr.	11. Signature of Agency Head* or Rule-making Coordinator:	
Address: 1612 Mail Service Center	$M \cap M$	
Raleigh, NC 27699-1612		
Phone: 919-707-9239	SM DL-1/1	
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to	
E-Man. 100011,000/ Wiledon, 801	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Agency Contact, if any: Jennifer Everett		
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.	
	Title: DEMI R/MEC Rule-making Coordinator	
E-Mail: Jennifer.everett@ncdenr.gov		
Action taken:		
	표	
RRC Extended period of review:	Land Land Land	
RRC determined substantial changes:	ಕ್ರ ಕಾರ್	
Withdrawn by agency		
Subject to Legislative Review		
Other:		

NOV 2 1 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:		
X ADOPTION AMENDMENT REPEAL	5. D. L to we stige the subject to logical time review?	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review? X Yes. Cite authority: S.L. 2014-4 § 2.(a)	
Yes. Cite authority:	l <u> </u>	
X No	□ 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/mini	ng-and-energy-commission/public-comment-meetings	
<b>Hearing on:</b> 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)	8. Fiscal impact (check all that apply):	
	State funds affected	
Yes	Environmental permitting of DOT affected and	
Agency submitted request for consultation on: Consultation not required. Cite authority:	analysis submitted to Board of Transportation	
Consultation not required. Cite admorts.	Local funds affected	
X No	Substantial economic impact (≥\$1,000,000)  Approved by OSBM	
	X No fiscal note required	
0.77740		
9. REASO 9A. What prompted this action? Check all that apply:	ON FOR ACTION	
	X Legislation enacted by the General Assembly	
Agency Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4	
Federal statute / cite:	Petition for rule-making	
Rederal regulation / cite:	Other:	
9B. Explain: Session Law 2012-143 directed the MEC to add	opt rules that would protect public health and safety; protect public and	
private property; protect and conserve the State's air, water, and	and other natural resources; promote economic development and expand lefficient development of the State's oil and gas resources. After	
reviewing the current regulations of the State, the mandate in	S1, 2012-143, and information from studies about the operation and	
notential impacts of modern oil and gas exploration and produ	action 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.	11. Signature of Agency Head* or Rule-making Coordinator:	
Address: 1612 Mail Service Center Raleigh, NC 27699-1612		
Phone: 919-707-9239	for Den	
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.	
Agency Contact, if any: Jennifer Everett	G.S. 1450-10(a), submit a copy of the delegation with the local	
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.	
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinator	
RRC AND OAH USE ONLY		
Action taken:	. 2	
	A 2 TI	
RRC Extended period of review:		
RRC determined substantial changes:		
Withdrawn by agency	To be a second of the second o	
Subject to Legislative Review	AC R II	
Other:	27	
Permanen	t Rule 0400 – 11/2014	

1. Rule-Making Agency: Mining and Energy Commission	NOV 9 1 2016	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .0705, Order and Record of Proceeding 2014		
3. Action:		
X ADOPTION AMENDMENT REPEAL		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)	
X No	□ 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/min	ing_and_energy_commission/public_comment_meetings	
Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14	mig-and-chorgy-commission public-common incomigs	
Adoption by agency on: 11/14/14		
Notice not required under G.S.:		
Adoption by agency on:	9. Final impact (sheek all that apply):	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact (check all that apply):	
☐ Yes	State funds affected Environmental permitting of DOT affected and	
Agency submitted request for consultation on:	analysis submitted to Board of Transportation	
Consultation not required. Cite authority:	Local funds affected	
X No	Substantial economic impact (≥\$1,000,000)  Approved by OSBM	
	X No fiscal note required	
0 DEAS	ON FOR ACTION	
9A. What prompted this action? Check all that apply:	ON FOR ACTION	
Agency	X Legislation enacted by the General Assembly	
Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4	
Federal statute / cite: Federal regulation / cite:	Petition for rule-making Other:	
9B. Explain: Session Law 2012-143 directed the MEC to ad	opt rules that would protect public health and safety; protect public and	
private property; protect and conserve the State's air, water, a	nd other natural resources; promote economic development and expand	
employment opportunities; and provide for the productive and	d 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 oi	l and gas industry for the purpose of oil and gas exploration and	
development.  10. Rule-making Coordinator: Robert B. Josey Jr.	11. Signature of Agency Head* or Rule-making Coordinator:	
Address: 1612 Mail Service Center	11. Signature of rigency from or running coordinators	
Raleigh, NC 27699-1612	1 1/4 /3 / h	
Phone: 919-707-9239	*If this function has been delegated (reassigned) pursuant to	
E-Mail: robert.josey@ncdenr.gov	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Agency Contact, if any: Jennifer Everett		
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.  Title: DEMLR/MEC Rule-making Coordinator	
E-Mail: Jennifer.everett@ncdenr.gov	D OAH USE ONLY	
Action taken:		
RRC Extended period of review:	March 1 2 1 2 1 2 1 2 1 2 1 2 1 2 1 2 1 2 1	
RRC determined substantial changes:	<b>室</b> 回 <b>3</b> 11	
Withdrawn by agency	SO 2:2: 口	
Subject to Legislative Review	S S S	

ORIGINAL

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: REPEAL 5. Rule automatically subject to legislative review? 4. Rule exempt from RRC review? X Yes. Cite authority: S.L. 2014-4 § 2.(a) Yes. Cite authority: □ No. X 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 Notice not required under G.S.: Adoption by agency on: 8. Fiscal impact (check all that apply): 7. Rule establishes or increases a fee? (See G.S. 12-3.1) State funds affected ☐ Yes Environmental permitting of DOT affected and Agency submitted request for consultation on: analysis submitted to Board of Transportation Consultation not required. Cite authority: Local funds affected Substantial economic impact (≥\$1,000,000) X No Approved by OSBM X No fiscal note required 9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: X Legislation enacted by the General Assembly ☐ Agency Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4 Court order / cite: Petition for rule-making Federal statute / cite: Other: Federal regulation / cite: 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. 11. Signature of Agency Head\* or Rule-making Coordinator: 10. Rule-making Coordinator: Robert B. Josey Jr. Address: 1612 Mail Service Center Raleigh, NC 27699-1612 Phone: 919-707-9239 \*If this function has been delegated (reassigned) pursuant to E-Mail: robert.josey@ncdenr.gov G.S. 143B-10(a), submit a copy of the delegation with this form. Agency Contact, if any: Jennifer Everett Typed Name: Robert B. Josey Jr. Phone: 919-707-8614 Title: DEMLR/MEC Rule-making Coordinator E-Mail: Jennifer.everett@ncdenr.gov RRC AND OAH USE ONLY Action taken: RRC Extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:



1,4 1 M w 1041 6		
1. Rule-Making Agency: Mining and Energy Commission		
2. Rule citation & name (name not required for repeal): 15	A NCAC 05H .0707, Form and Contents of Request to Maintain	
Confidential Information		
3. Action:		
X ADOPTION  AMENDMENT  REPEAL		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
	X Yes, Cite authority: S.L. 2014-4 § 2.(a)	
Yes. Cite authority:	1	
X No	□ No	
6. Notice for Proposed Rule:		
-		
X Notice Required		
Notice of Text published on: 7/15/14	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	
Link to Agency notice: http://portal.ncdenr.org/web/mini	ng-and-energy-commission/public-comment-meetings	
<b>Hearing on:</b> 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)	8. Fiscal impact (check all that apply):	
	State funds affected	
Yes	Environmental permitting of DOT affected and	
Agency submitted request for consultation on:	analysis submitted to Board of Transportation	
Consultation not required. Cite authority:	Local funds affected	
	Substantial economic impact (≥\$1,000,000)	
X No	Approved by OSBM	
	X No fiscal note required	
	2x 140 listal hote requires	
9. REASO	ON FOR ACTION	
9A. What prompted this action? Check all that apply:		
☐ Agency	X Legislation enacted by the General Assembly	
Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4	
Federal statute / cite:	Petition for rule-making	
Federal regulation / cite:	Other:	
9R Explain: Session Law 2012-143 directed the MEC to add	opt rules that would protect public health and safety; protect public and	
private property: protect and conserve the State's air water, at	nd 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	
notential impacts of modern oil and gas exploration and produ	ction activities, the MEC is proposing to adopt 124 new rules and to	
reneal 10 others rules in order to appropriately regulate the oil	and gas industry for the purpose of oil and gas exploration and	
development.	and Sub made of 101 and harbon of one and Sub substantial and	
10. Rule-making Coordinator: Robert B. Josey Jr.	11. Signature of Agency Head* or Rule-making Coordinator:	
Address: 1612 Mail Service Center	1 A	
Raleigh, NC 27699-1612		
Phone: 919-707-9239	Za 1/5/_ 1	
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to	
E-Man. 100cm.josey@nedem.gov	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Agency Contact if any Jennifer Byerett	CINE TION TOTAL DEPARTMENT OF ONLY OF THE GOLD OF THE STATE OF THE STA	
Agency Contact, if any: Jennifer Everett Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.	
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinator	
E-Man: Jennifer.everett@nedenr.gov	O OAH USE ONLY	
	OAN COL OTHER	
Action taken:	<b>→</b> 23	
DDC Entended period of reviews	$\leq_{0}$	
RRC Extended period of review:	<b>三</b>	
RRC determined substantial changes:		
Withdrawn by agency		
Subject to Legislative Review	\$o a ∏	
Other:	- Nivertag	
	Rule 0400 – 11/2014	
Permanent	Rule 0400 – 11/2014	

1. Rule-Making Agency: Mining and Energy Commission	NOV 2 1 2014	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .0708, Disposition Of Confidential Information		
Request	•	
3. Action:		
X ADOPTION AMENDMENT REPEAL		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)	
X No	□ 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)	8. Fiscal impact (check all that apply):	
<ul> <li>☐ Yes         Agency submitted request for consultation on:         Consultation not required. Cite authority:</li> <li>X No</li> </ul>	<ul> <li>State funds affected</li> <li>Environmental permitting of DOT affected and analysis submitted to Board of Transportation</li> <li>Local funds affected</li> <li>Substantial economic impact (≥\$1,000,000)</li> <li>Approved by OSBM</li> <li>X No fiscal note required</li> </ul>	
9. REAS	ON FOR ACTION	
9A. What prompted this action? Check all that apply:		
Agency Court order / cite: Federal statute / cite: Federal regulation / cite:  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.	11. Signature of Agency Head* or Rule-making Coordinator:	
Address: 1612 Mail Service Center	SHO //	
Raleigh, NC 27699-1612	120 13 L	
Phone: 919-707-9239 E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.	
Agency Contact, if any: Jennifer Everett		
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.	
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinator	
RRC AND OAH USE ONLY		
Action taken:	20	
	ADMINING 2	
RRC Extended period of review:		
RRC determined substantial changes:	工	
Withdrawn by agency	The same	
Subject to Legislative Review		
Other:	á <sup>'</sup> <sup>'</sup> <sup>'</sup> <sup>'</sup>	

1. Rule-Making Agency: Mining and Energy Commission	MOU 0 1 2016
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .0709, Notice to the Commission of Loss 07 2 1 2014 Confidential Status	
3. Action: X ADOPTION AMENDMENT REPEAL	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)
X No	□ 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  Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact (check all that apply):
Yes Agency submitted request for consultation on: Consultation not required. Cite authority: X No	<ul> <li>State funds affected</li> <li>Environmental permitting of DOT affected and analysis submitted to Board of Transportation</li> <li>Local funds affected</li> <li>Substantial economic impact (≥\$1,000,000)</li> <li>Approved by OSBM</li> <li>X No fiscal note required</li> </ul>
9. REASO	ON FOR ACTION
Agency Court order / cite: Federal statute / cite: Federal regulation / cite:  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.	11. Signature of Agency Head* or Rule-making Coordinator:
Address: 1612 Mail Service Center	$\mathcal{U} \cap \mathcal{U}$
Raleigh, NC 27699-1612	Mut 15 //
Phone: 919-707-9239	- Jan
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.
Agency Contact, if any: Jennifer Everett	
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinator
RRC AND OAH USE ONLY	
RRC Extended period of review: RRC determined substantial changes: Withdrawn by agency	NOV 21 PM
Subject to Legislative Review	
Other:	

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 2 1 2014	
	1404 % T 5011
3. Action:	
X ADOPTION AMENDMENT REPEAL	5. Rule automatically subject to legislative review?
4. Rule exempt from RRC review?	X Yes. Cite authority: S.L. 2014-4 § 2.(a)
Yes. Cite authority:	No
X 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/mini	ing and energy commission/nublic-comment-meetings
Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14	mg-and-energy-commission/public-comment informgs
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)	8. Fiscal impact (check all that apply):
	☐ State funds affected
Yes Agency submitted request for consultation on:	☐ Environmental permitting of DOT affected and
Consultation not required. Cite authority:	analysis submitted to Board of Transportation
1	<ul><li>Local funds affected</li><li>Substantial economic impact (≥\$1,000,000)</li></ul>
X No	Approved by OSBM
	X No fiscal note required
0 DEAS	ON FOR ACTION
9A. What prompted this action? Check all that apply:	ON FOR ACTION
Agency	X Legislation enacted by the General Assembly
Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4
Federal statute / cite:	Petition for rule-making
Federal regulation / cite:	Other:
9B. Explain: Session Law 2012-143 directed the MEC to add	opt rules that would protect public health and safety; protect public and other natural resources; promote economic development and expand
employment opportunities: and provide for the productive and	l 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 produ	ection 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.	11. Signature of Agency Head* or Rule-making Coordinator:
10. Rule-making Coordinator: Robert B. Josey Jr. Address: 1612 Mail Service Center	11. Signature of Agency fread of Active making coordinators
Raleigh, NC 27699-1612	AA D //
Phone: 919-707-9239	Man 10 f
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to
A Cantact if any Jamifay Expents	G.S. 143B-10(a), submit a copy of the delegation with this form.
Agency Contact, if any: Jennifer Everett Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinator
RRC AND OAH USE ONLY	
Action taken:	Sand and a sand and a sand and a sand a
	<b>重高 2 1</b>
RRC Extended period of review:	
RRC determined substantial changes:	불유 <u>목</u>
Withdrawn by agency	No Part Control
Subject to Legislative Review	\$ 5 V
Other:	

1. Rule-Making Agency: Mining and Energy Commission	NUV 21 2014
2. Rule citation & name (name not required for repeal): 15	5A NCAC 05H .0802, Commencement of Proceedings
2. Muse chanon & name (name not required for repeat).	
3. Action:	
X ADOPTION	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)
X No	□ 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/min	ing-and-energy-commission/public-comment-meetings
Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14	5
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)	8. Fiscal impact (check all that apply):
	State funds affected
Yes	Environmental permitting of DOT affected and
Agency submitted request for consultation on:  Consultation not required. Cite authority:	analysis submitted to Board of Transportation
Consultation not required. Cite authority.	Local funds affected
X No	Substantial economic impact (≥\$1,000,000)
	☐ Approved by OSBM  X No fiscal note required
	A 110 iistai iiote required
i e e e e e e e e e e e e e e e e e e e	ON FOR ACTION
9A. What prompted this action? Check all that apply:	
Agency	X Legislation enacted by the General Assembly
Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4  Petition for rule-making
Federal statute / cite: Federal regulation / cite:	Other:
OR Explain: Session Law 2012-143 directed the MEC to ad-	opt rules that would protect public health and safety; protect public and
private property: protect and conserve the State's air, water, a	nd other natural resources; promote economic development and expand
employment opportunities; and provide for the productive and	d 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 produ	action activities, the MEC is proposing to adopt 124 new rules and to
	and gas industry for the purpose of oil and gas exploration and
development.  10. Rule-making Coordinator: Robert B. Josey Jr.	11. Signature of Agency Head* or Rule-making Coordinator:
Address: 1612 Mail Service Center	
Raleigh, NC 27699-1612	A 2//
Phone: 919-707-9239	Jan Dy-
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to
G. A. A. S Lower from Except	G.S. 143B-10(a), submit a copy of the delegation with this form.
Agency Contact, if any: Jennifer Everett Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.
E-Mail: Jennifer.everett@ncdenr.gov	Typed Name: Robert B. Josey Jr.  Title: DEMLR/MEC Rule-making Coordinato
RRC AND OAH USE ONLY	
Action taken:	
	<u> </u>
RRC Extended period of review:	
RRC determined substantial changes: Withdrawn by agency	हैं है
Subject to Legislative Review	S & O
Other:	

1. Rule-Making Agency: Mining and Energy Commission NOV 2 1 2014	
2. Rule citation & name (name not required for repeal): 15	A NCAC 05H .0803, Notice of Proceedings
· · · · · · · · · · · · · · · · · · ·	
3. Action:	
X ADOPTION AMENDMENT REPEAL	To D. L. C. D. and the Ade Local Letting requieve?
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)
X No	□ No
6. Notice for Proposed Rule:	
X Notice Required	
Notice of Text published on: 7/15/14	1 mortings
Link to Agency notice: http://portal.ncdenr.org/web/mini	ing-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)	8. Fiscal impact (check all that apply):
_	State funds affected
Yes	Environmental permitting of DOT affected and
Agency submitted request for consultation on:	analysis submitted to Board of Transportation
Consultation not required. Cite authority:	Local funds affected
X No	Substantial economic impact (≥\$1,000,000)
	Approved by OSBM  X No fiscal note required
	A 110 fiscas note required
	ON FOR ACTION
9A. What prompted this action? Check all that apply:	
Agency	X Legislation enacted by the General Assembly
Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4  Petition for rule-making
Federal statute / cite:	Other:
Federal regulation / cite:  OR Explain: Session Law 2012-143 directed the MEC to ad-	opt rules that would protect public health and safety; protect public and
private property: protect and conserve the State's air, water, a	nd other natural resources; promote economic development and expand
employment opportunities; and provide for the productive and	l 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 produ	action activities, the MEC is proposing to adopt 124 new rules and to
	and gas industry for the purpose of oil and gas exploration and
development.  10. Rule-making Coordinator: Robert B. Josey Jr.	11. Signature of Agency Head* or Rule-making Coordinator:
Address: 1612 Mail Service Center	The Signature of Figure 1
Raleigh, NC 27699-1612	MAD /
Phone: 919-707-9239	Mar Day
E-Mail: robert.josey@ncdenr.gov	*If this function has been delogated (reassigned) pursuant to
	G.S. 143B-10(a), submit a copy of the delegation with this form.
Agency Contact, if any: Jennifer Everett	Typed Name: Robert B. Josey Jr.
Phone: 919-707-8614	Title: DEMLR/MEC Rule-making Coordinator
E-Mail: Jennifer.everett@ncdenr.gov   Title: DEMLR/MEC Rule-making Coordinator  RRC AND OAH USE ONLY	
Action taken:	हे हैं त
	<b>8 1 1 1 1 1 1 1 1 1 1</b>
RRC Extended period of review:	
RRC determined substantial changes:	商品 一种
☐ Withdrawn by agency ☐ Subject to Legislative Review	\$\delta \text{\pi} \t
Other:	Z <sup>TI</sup> 5
Curv.	

# 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 NOV 2 1 2014	
3. Action: X ADOPTION AMENDMENT REPEAL	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)
X No	□ 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/mini	ing-and-energy-commission/public-comment-meetings
<b>Hearing on:</b> 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)	8. Fiscal impact (check all that apply):
	State funds affected
Yes	Environmental permitting of DOT affected and
Agency submitted request for consultation on:  Consultation not required. Cite authority:	analysis submitted to Board of Transportation
Consultation not required. One waster,	<ul> <li>Local funds affected</li> <li>Substantial economic impact (≥\$1,000,000)</li> </ul>
X No	Approved by OSBM
	X No fiscal note required
9. REASO	ON FOR ACTION
9A. What prompted this action? Check all that apply:	
☐ Agency	X Legislation enacted by the General Assembly
Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4  Petition for rule-making
Federal statute / cite: Federal regulation / cite:	Other:
OR Explain: Session Law 2012-143 directed the MEC to add	opt rules that would protect public health and safety; protect public and
private property: protect and conserve the State's air, water, a	nd 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 produ	action activities, the MEC is proposing to adopt 124 new rules and to and gas industry for the purpose of oil and gas exploration and
development.	, unite Sas interest, 101 and hard on a constant San A
10. Rule-making Coordinator: Robert B. Josey Jr.	11. Signature of Agency Head* or Rule-making Coordinator:
Address: 1612 Mail Service Center	
Raleigh, NC 27699-1612	
Phone: 919-707-9239	*If this function has been delegated (reassigned) pursuant to
E-Mail: robert.josey@ncdenr.gov	G.S. 143B-10(a), submit a copy of the delegation with this form.
Agency Contact, if any: Jennifer Everett	- try D1 (D1)1-
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.  Title: DEMLR/MEC Rule-making Coordinator
E-Mail: Jennifer.everett@ncdenr.gov Title: DEMLR/MEC Rule-making Coordinator  RRC AND OAH USE ONLY	
Action taken:	
Action taxons	五 <u>さ</u> 2
	ARINGS TO
RRC Extended period of review:	
RRC determined substantial changes:	Service Servic
<ul><li>☐ Withdrawn by agency</li><li>☐ Subject to Legislative Review</li></ul>	Si Si O
Other:	

1. Rule-Making Agency: Mining and Energy Commission	
2 T. J.	
2. Rule citation & name (name not required for repeat): 13A NCAC 03H .0003, Notice of Fubility Realing NOV 2 1 2014	
3. Action:  X ADOPTION AMENDMENT REPEAL	~3
X ADOPTION AMENDMENT REPEAL 4. Rule exempt from RRC review?	5. Rule automatically subject to legislative regiew?
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)
X No	
6. Notice for Proposed Rule:	
· ·	Ac a
X Notice Required Notice of Text published on: 7/15/14	
Link to Agency notice: http://portal.ncdenr.org/web/mini	ing-and-energy-commission/public-comment-meetings
Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14	ing-and-energy-commission/public-comment-mosangs
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)	8. Fiscal impact (check all that apply):
7. Rule establishes of fact eases a feet (See See 12 112)	State funds affected
☐ Yes	Environmental permitting of DOT affected and
Agency submitted request for consultation on: Consultation not required. Cite authority:	analysis submitted to Board of Transportation
Consultation not required. Cite authority:	Local funds affected
X No	Substantial economic impact (≥\$1,000,000)  Approved by OSBM
	X No fiscal note required
9. REASO 9A. What prompted this action? Check all that apply:	ON FOR ACTION
Agency	X Legislation enacted by the General Assembly
Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4
Federal statute / cite:	Petition for rule-making
Federal regulation / cite:	Other:
9B. Explain: Session Law 2012-143 directed the MEC to add	opt rules that would protect public health and safety; protect public and other natural resources; promote economic development and expand
employment opportunities: and provide for the productive and	l 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
notential impacts of modern oil and gas exploration and produ	ection activities, the MEC is proposing to adopt 124 new rules and to
	and gas industry for the purpose of oil and gas exploration and
development.  10. Rule-making Coordinator: Robert B. Josey Jr.	11. Signature of Agency Head* or Rule-making Coordinator:
Address: 1612 Mail Service Center	
Raleigh, NC 27699-1612	MI Q // /
Phone: 919-707-9239	*If this function has been delegated (reassigned) pursuant to
E-Mail: robert.josey@ncdenr.gov	G.S. 143B-10(a), submit a copy of the delegation with this form.
Agency Contact, if any: Jennifer Everett	
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinator  O OAH USE ONLY
Action taken:	JOAN USE UNLI
Action taxen.	
D ppgp and desired of mains	<b>A</b> &
RRC Extended period of review: RRC determined substantial changes:	
Withdrawn by agency	意。 第9 章 U
Subject to Legislative Review	
Other:	图 3
	500

1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .0806, Conduct the Hearing	
3. Action: X ADOPTION AMENDMENT REPEAL	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)
X No	□ 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  Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact (check all that apply):
☐ Yes Agency submitted request for consultation on: Consultation not required. Cite authority:  X No	<ul> <li>State funds affected</li> <li>Environmental permitting of DOT affected and analysis submitted to Board of Transportation</li> <li>Local funds affected</li> <li>Substantial economic impact (≥\$1,000,000)</li> <li>Approved by OSBM</li> <li>X No fiscal note required</li> </ul>
9. REAS	ON FOR ACTION
private property; protect and conserve the State's air, water, a employment opportunities; and provide for the productive and reviewing the current regulations of the State, the mandate in potential impacts of modern oil and gas exploration and produ	X Legislation enacted by the General Assembly Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4 Petition for rule-making Other: opt rules that would protect public health and safety; protect public and other natural resources; promote economic development and expand efficient development of the State's oil and gas resources. After SL 2012-143, and information from studies about the operation and activities, the MEC is proposing to adopt 124 new rules and to and gas industry for the purpose of oil and gas exploration and
10. Rule-making Coordinator: Robert B. Josey Jr.	11. Signature of Agency Head* or Rule-making Coordinator:
Address: 1612 Mail Service Center	6A 0 // //
Raleigh, NC 27699-1612 <b>Phone:</b> 919-707-9239	(AU 15/1-11
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.
Agency Contact, if any: Jennifer Everett	•
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.
E-Mail: Jennifer.everett@ncdenr.gov	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:	ADMIN TO THE PROPERTY OF THE P
LI Office.	I P P P P P P P P P P P P P P P P P P P

1. Rule-Making Agency: Mining and Energy Commission	
	A NCAC 05H .0807, Witnesses NOV 2 1 2014
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .0807, Witnesses NOV 2 1 2014	
3. Action:	
X ADOPTION AMENDMENT REPEAL	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
☐ Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)
X No	□ 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/min	ing-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)	8. Fiscal impact (check all that apply):
T \$7	State funds affected
Yes Agency submitted request for consultation on:	Environmental permitting of DOT affected and
Consultation not required. Cite authority:	analysis submitted to Board of Transportation
Concession not required	Local funds affected Substantial economic impact (≥\$1,000,000)
X No	Approved by OSBM
	X No fiscal note required
	ON TOP ACTION
	ON FOR ACTION
9A. What prompted this action? Check all that apply:	X Legislation enacted by the General Assembly
☐ Agency ☐ Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4
Federal statute / cite:	Petition for rule-making
Federal regulation / cite:	Other:
ap Explain: Section Law 2012-143 directed the MEC to ad-	opt rules that would protect public health and safety; protect public and
private property; protect and conserve the State's air, water, a	nd other natural resources; promote economic development and expand
employment opportunities; and provide for the productive and	1 efficient development of the State's oil and gas resources. After SL 2012-143, and information from studies about the operation and
reviewing the current regulations of the State, the mandate in	action 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.	11. Signature of Agency Head* or Rule-making Coordinator:
Address: 1612 Mail Service Center	
Raleigh, NC 27699-1612	Mut 151 1
Phone: 919-707-9239	*If this function has been delegated (reassigned) pursuant to
E-Mail: robert.josey@ncdenr.gov	G.S. 143B-10(a), submit a copy of the delegation with this form.
Agency Contact, if any: Jennifer Everett	
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinator
	D OAH USE ONLY
Action taken:	
RRC Extended period of review:	
RRC determined substantial changes:	<b> </b>
Withdrawn by agency	
Subject to Legislative Review	
Other:	

1. Rule-Making Agency: Mining and Energy Commission	#1014 o 4 0044
2. Rule citation & name (name not required for repeal): 15	A NCAC 05H .0808, Commission's Decision NOV 2 1 2014
3. Action:	
X ADOPTION AMENDMENT REPEAL	5. Rule automatically subject to legislative review?
4. Rule exempt from RRC review?	X Yes. Cite authority: S.L. 2014-4 § 2.(a)
Yes. Cite authority:	No
X No	
6. Notice for Proposed Rule:	
X Notice Required	
Notice of Text published on: 7/15/14	1
Link to Agency notice: http://portal.ncdenr.org/web/mini	ng-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)	8. Fiscal impact (check all that apply):
7. Active established of marriages a record (500 2131 22 213)	State funds affected
☐ Yes	Environmental permitting of DOT affected and
Agency submitted request for consultation on:	analysis submitted to Board of Transportation
Consultation not required. Cite authority:	Local funds affected
X No	Substantial economic impact (≥\$1,000,000)
A NO	Approved by OSBM
	X No fiscal note required
9. REASO	ON FOR ACTION
9A. What prompted this action? Check all that apply:	
☐ Agency	X Legislation enacted by the General Assembly
Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4
Federal statute / cite:	Petition for rule-making Other:
Federal regulation / cite:	opt rules that would protect public health and safety; protect public and
private property: protect and conserve the State's air, water, at	nd 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 S	SL 2012-143, and information from studies about the operation and
potential impacts of modern oil and gas exploration and produ	ction activities, the MEC is proposing to adopt 124 new rules and to
	and gas industry for the purpose of oil and gas exploration and
development.	11. Signature of Agency Head* or Rule-making Coordinator:
10. Rule-making Coordinator: Robert B. Josey Jr. Address: 1612 Mail Service Center	11. Signature of rigency from the maining coordinates.
Raleigh, NC 27699-1612	# 0 / /
Phone: 919-707-9239	Me Bay B
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to
Guntant if annu Inquifou Evouatt	G.S. 143B-10(a), submit a copy of the delegation with this form.
Agency Contact, if any: Jennifer Everett Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinator
RRC AND OAH USE ONLY	
Action taken:	Mr.
	Mary Comments
DDC Extended period of reviews	
RRC Extended period of review: RRC determined substantial changes:	MA COLON
Withdrawn by agency	of the officer
Subject to Legislative Review	
Other:	CONTRACT INVERSE

1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .0901, Enforcement NOV 2 1 2014	
3. Action: X ADOPTION AMENDMENT REPEAL	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)
X No	□ 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	
☐ Notice not required under G.S.:	
Adoption by agency on:  7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact (check all that apply):
/. Rule establishes of increases a fee: (See G.S. 12-3.1)	_
☐ Yes	State funds affected Environmental permitting of DOT affected and
Agency submitted request for consultation on:	analysis submitted to Board of Transportation
Consultation not required. Cite authority:	Local funds affected
87 NT.	Substantial economic impact (≥\$1,000,000)
X No	Approved by OSBM
	X No fiscal note required
9. REASO	ON FOR ACTION
9A. What prompted this action? Check all that apply:	
☐ Agency	X Legislation enacted by the General Assembly
Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4
Federal statute / cite:	Petition for rule-making Other:
Federal regulation / cite:	ppt rules that would protect public health and safety; protect public and
private property: protect and conserve the State's air, water, a	nd other natural resources; promote economic development and expand
amplement enpertunities, and provide for the productive and	l efficient development of the State's oil and gas resources. After
I receive sing the current regulations of the State, the mandate in	S1, 2012-143, and information from studies about the operation and
notantial impacts of modern oil and gas exploration and produ	ection activities, the MEC is proposing to adopt 124 new rules and to
	and gas industry for the purpose of oil and gas exploration and
development.  10. Rule-making Coordinator: Robert B. Josey Jr.	11. Signature of Agency Head* or Rule-making Coordinator:
Address: 1612 Mail Service Center	
Raleigh, NC 27699-1612	Mt /2 /
Phone: 919-707-9239	for the state of t
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.
Agency Contact, if any: Jennifer Everett	
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinator
RRC AND OAH USE ONLY	
Action taken:	
RRC AND OAH USE ONLY  Action taken:  RRC Extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:	
RRC Extended period of review:	
RRC determined substantial changes:	
Withdrawn by agency	
Subject to Legislative Review	
Other:	

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 2 1 2014		
2. Rule citation & name (name not required for reposity).	I MA T TOLL	
3. Action:		
X ADOPTION AMENDMENT REPEAL		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)	
X No	□ No	
6. Notice for Proposed Rule:		
X Notice Required		
Notice of Text published on: 7/15/14	de la	
Link to Agency notice: http://portal.ncdenr.org/web/min	ing-and-energy-commission/phone-comment-incomings	
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:		
	8. Fiscal impact (check all that apply):	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)		
☐ Yes	State funds affected  State funds affected and	
Agency submitted request for consultation on:	Environmental permitting of DOT affected and analysis submitted to Board of Transportation	
Consultation not required. Cite authority:	Local funds affected	
	Substantial economic impact (≥\$1,000,000)	
X No	Approved by OSBM	
	X No fiscal note required	
a pric	ON FOR ACTION	
	ON FOR ACTION	
9A. What prompted this action? Check all that apply:	X Legislation enacted by the General Assembly	
Agency Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4	
Federal statute / cite:	Petition for rule-making	
Federal regulation / cite:	Other:	
OD Evaloin: Session Law 2012-143 directed the MEC to ad	opt rules that would protect public health and safety; protect public and	
private property: protect and conserve the State's air, water, a	nd other natural resources; promote economic development and expand	
amployment 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		
	and gas industry for the purpose of on the gas one	
development.  10. Rule-making Coordinator: Robert B. Josey Jr.	11. Signature of Agency Head* or Rule-making Coordinator:	
Address: 1612 Mail Service Center		
Raleigh, NC 27699-1612		
Phone: 919-707-9239	Man 1 1	
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.	
7 10 17	G.S. 143B-10(a), submit a copy of the delegation with this for $\frac{1}{2}$	
Agency Contact, if any: Jennifer Everett	Typed Name: Robert B. Josey Jr.	
Phone: 919-707-8614 E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinator	
RRC AND OAH USE ONLY		
Action taken:	골으 모	
ARTION CONTON	ק ק ק ק	
	S S	
RRC Extended period of review:	9	
RRC determined substantial changes:		
Withdrawn by agency		
Subject to Legislative Review		

ORIGINA

1. Rule-Making Agency: Mining and Energy Commission		
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1002, Notice of Assessment NUV 2 1 2014		
2 4-4		
3. Action:  X ADOPTION AMENDMENT REPEAL		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
☐ Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)	
X No	□ 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/min	ing and energy commission/nublic-comment-meetings	
Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14	mg-and-energy-commission public-common movemes	
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)	8. Fiscal impact (check all that apply):	
☐ Yes	State funds affected	
Agency submitted request for consultation on:	Environmental permitting of DOT affected and analysis submitted to Board of Transportation	
Consultation not required. Cite authority:	Local funds affected	
	Substantial economic impact (≥\$1,000,000)	
X No	☐ Approved by OSBM	
	X No fiscal note required	
9. REAS	ON FOR ACTION	
9A. What prompted this action? Check all that apply:		
Agency	X Legislation enacted by the General Assembly Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4	
Court order / cite: Federal statute / cite:	Petition for rule-making	
Federal regulation / cite:	Other:	
OR Explain: Session Law 2012-143 directed the MEC to ad-	opt rules that would protect public health and safety; protect public and	
private property: protect and conserve the State's air, water, a	nd other natural resources; promote economic development and expand	
employment opportunities; and provide for the productive and	l efficient development of the State's oil and gas resources. After SL 2012-143, and information from studies about the operation and	
notential impacts of modern oil and gas exploration and produ	action 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.	11. Signature of Agency Head* or Rule-making Coordinator:	
Address: 1612 Mail Service Center Raleigh, NC 27699-1612		
Phone: 919-707-9239	The Ohn /h	
E-Mail: robert.josey@ncdenr.gov	*If this function has been delogated (reassigned) pursuant to	
Contact if any Immifor Evouatt	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Agency Contact, if any: Jennifer Everett Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.	
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMER/MEC Rule-making Cooldington	
RRC AND OAH USE ONLY		
Action taken:	19 7	
RRC Extended period of review:	ANG REST	
RRC determined substantial changes:	Q N	
Withdrawn by agency	S S	
Subject to Legislative Review		

1. Rule-Making Agency: Mining and Energy Commission	
1. Rule-Making Agency: Mining and Energy Continussion	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1003, Payment of Assessment  NOV 2.1.2014	
	100 / 1 (01)
3. Action:  X ADOPTION  AMENDMENT  REPEAL	
A HOOLITON	5. Rule automatically subject to legislative review?
4. Rule exempt from RRC review?	X Yes. Cite authority: S.L. 2014-4 § 2.(a)
Yes. Cite authority:	No
X No	
6. Notice for Proposed Rule:	·
X Notice Required Notice of Text published on: 7/15/14	1
Link to Agency notice: http://portal.ncdenr.org/web/mini	ing-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)	8. Fiscal impact (check all that apply):
7. Ruit establishes of interesses a record	State funds affected
Yes	Environmental permitting of DOT affected and
Agency submitted request for consultation on:	analysis submitted to Board of Transportation
Consultation not required. Cite authority:	Local funds affected
·	Substantial economic impact (≥\$1,000,000)
X No	Approved by OSBM
	X No fiscal note required
	ON TOD A CHYON
	ON FOR ACTION
9A. What prompted this action? Check all that apply:	The state of the s
Agency	X Legislation enacted by the General Assembly Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4
Court order / cite:	Petition for rule-making
Federal statute / cite:	Other:
Federal regulation / cite:	ont rules that would protect public health and safety; protect public and
the State of a second of the State of the St	nd other namiral resolutions; promote contoune development and expand
I want and automitions and provide for the productive and	d efficient development of the state 5 of and gas resources. These
the summer regulations of the State the mandate in	Si 7(117-143) and information from studies about the operation and
I would be a few adam oil and age exploration and prodi	nemon activities, the tyles is propositig to adopt 124 new rates and to
reneal 10 others rules in order to appropriately regulate the oi	l and gas industry for the purpose of oil and gas exploration and
development.	
10. Rule-making Coordinator: Robert B. Josey Jr.	11. Signature of Agency Head* or Rule-making Coordinator:
Address: 1612 Mail Service Center	
Raleigh, NC 27699-1612	Mut 15 1 - 1
Phone: 919-707-9239	*If this function has been desegated (reassigned) pursuant to
E-Mail: robert.josey@ncdenr.gov	G.S. 143B-10(a), submit a copy of the delegation with this form.
T 10 F	G.S. 145B-10(a), submit a copy of the delegation
Agency Contact, if any: Jennifer Everett	Typed Name: Robert B. Josey Jr.
Phone: 919-707-8614  E-Mail: Jennifer.everett@ncdenr.gov	TTHE DEMIKIME, RING-MAKING COOLUMAGE
E-Wall: Jennier.everen@ncdem.gov	D OAH USE ONLY
Action taken:	T TO THE PARTY OF
Action taken.	The state of the s
	And the state of t
RRC Extended period of review:	<b>⋛</b>
RRC determined substantial changes:	<b>8</b> 3
Withdrawn by agency	SONGS PRINCES SS
Subject to Legislative Review	
Other:	

1. Rule-Making Agency: Mining and Energy Commission		
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1004, Administrative Remedies		
w. Mark Chemeron of Hame Andread and Laden and		
3. Action:  X ADOPTION AMENDMENT REPEAL		
X ADOPTION AMENDMENT REPEAL 4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)	
X No	□ 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/min	ing-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:	8. Fiscal impact (check all that apply):	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	• • •	
☐ Yes	<ul> <li>State funds affected</li> <li>Environmental permitting of DOT affected and</li> </ul>	
Agency submitted request for consultation on:	analysis submitted to Board of Transportation	
Consultation not required. Cite authority:	Local funds affected	
NZ NT.	Substantial economic impact (≥\$1,000,000)	
X No	Approved by OSBM	
	X No fiscal note required	
l	ON FOR ACTION	
9A. What prompted this action? Check all that apply:		
Agency	X Legislation enacted by the General Assembly Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4	
Court order / cite:	Petition for rule-making	
Federal statute / cite: Federal regulation / cite:	Other:	
ap Fyntain: Session I aw 2012-143 directed the MEC to ad	opt rules that would protect public health and safety; protect public and	
I private property: protect and conserve the State's air, water, a	nd other natural resources; promote economic development and expand	
employment opportunities; and provide for the productive and	I 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.	11. Signature of Agency Head* or Rule-making Coordinator:	
Address: 1612 Mail Service Center	K O / /	
Raleigh, NC 27699-1612 <b>Phone:</b> 919-707-9239	and to find	
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to	
	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Agency Contact, if any: Jennifer Everett	Typed Name: Robert B. Josey Jr.	
Phone: 919-707-8614  E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinator	
RRC AND OAH USE ONLY		
Action taken:		
DDC Patended movied of receivers	而是 2 F	
RRC Extended period of review: RRC determined substantial changes:	Do to M	
Withdrawn by agency		
Subject to Legislative Review		
Other:	<u> </u>	

# ORIGINAL

1 Dula Making Aganaya Mining and Engray Commission	NOV 2 1 2014	
1. Rule-Making Agency: Mining and Energy Commission  NUV Z 1 ZUIT  2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1005, Report to the Commission		
2. Rule citation & name (name not required for repeat): 13	A NCAC 03H .1003, Report to the Commission	
3. Action: X ADOPTION AMENDMENT REPEAL		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)	
X No	No	
AND		
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/min	ing-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:		
	8. Fiscal impact (check all that apply):	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)		
☐ Yes	State funds affected	
Agency submitted request for consultation on:	Environmental permitting of DOT affected and analysis submitted to Board of Transportation	
Consultation not required. Cite authority:	Local funds affected	
	Substantial economic impact (≥\$1,000,000)	
X No	Approved by OSBM	
	X No fiscal note required	
O DEAS	ON FOR ACTION	
9A. What prompted this action? Check all that apply:	ON FOR ACTION	
<b>_</b> ^ -	X Legislation enacted by the General Assembly	
☐ Agency ☐ Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4	
Federal statute / cite:	Petition for rule-making	
Federal regulation / cite:	Other:	
9B. Explain: Session Law 2012-143 directed the MEC to add	opt rules that would protect public health and safety; protect public and	
private property; protect and conserve the State's air, water, a	and other natural resources; promote economic development and expand	
employment opportunities; and provide for the productive and	l 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 action activities, the MEC is proposing to adopt 124 new rules and to	
potential impacts of modern on and gas exploration and produ	and gas industry for the purpose of oil and gas exploration and	
development.	water But manager, and but have been a second of the but water but have been a second of the but water but have been a second of the but water but have been a second of the but water but have been a second of the but water but	
10. Rule-making Coordinator: Robert B. Josey Jr.	11. Signature of Agency Head* or Rule-making Coordinator:	
Address: 1612 Mail Service Center		
Raleigh, NC 27699-1612	Mar 12 /	
Phone: 919-707-9239	The state of the s	
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.	
Agency Contact, if any: Jennifer Everett	G.S. 143D-10(a), submit a copy of the delegation with this form.	
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.	
E-Mail: Jennifer.everett@ncdenr.gov	CTHA: DEMIRAMECRINAL MARING CONTOINALES	
RRC AND OAH USE ONLY		
Action taken:		
	The property of the property o	
D ppgp and desired foreign		
RRC Extended period of review: RRC determined substantial changes:	S P	
Withdrawn by agency		
Subject to Legislative Review	\$ 59	
Other:		

1. Rule-Making Agency: Mining and Energy Commission	NOV 2 1 2014
2. Rule citation & name (name not required for repeal): 15	
2. Nuite chanton & name (mame not required for repeat).	11110110 ODIT (11171) Disprovement and Orophy) orang and 1-1/2
3. Action:	
X ADOPTION AMENDMENT REPEAL	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)
X No	□ 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/min	ing_and_energy_commission/nublic-comment-meetings
Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14	ing-and-energy-commission passes comment and angular
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)	8. Fiscal impact (check all that apply):
, ,	State funds affected
☐ Yes	Environmental permitting of DOT affected and
Agency submitted request for consultation on:	analysis submitted to Board of Transportation
Consultation not required. Cite authority:	Local funds affected
X No	Substantial economic impact (≥\$1,000,000)
A 110	Approved by OSBM
	X No fiscal note required
9. REAS	ON FOR ACTION
9A. What prompted this action? Check all that apply:	
☐ Agency	X Legislation enacted by the General Assembly
Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4
Federal statute / cite:	☐ Petition for rule-making ☐ Other:
Federal regulation / cite:	opt rules that would protect public health and safety; protect public and
private property: protect and conserve the State's air, water, a	nd other natural resources; promote economic development and expand
employment opportunities; and provide for the productive and	l 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
notential impacts of modern oil and gas exploration and produ	action 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.	11. Signature of Agency Head* or Rule-making Coordinator:
10. Rule-making Coordinator: Robert B. Josey Jr. Address: 1612 Mail Service Center	11. Signature of Agency fread of Rule-maxing Coordinator.
Raleigh, NC 27699-1612	
Phone: 919-707-9239	The Ban h
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to
	G.S. 143B-10(a), submit a copy of the delegation with this form.
Agency Contact, if any: Jennifer Everett	Typed Name: Robert B. Josey Jr.
Phone: 919-707-8614  E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinator
RRC ANI	O OAH USE ONLY
Action taken:	
	žo į li
RRC Extended period of review:	BONNE TO THE PART OF THE PART
RRC determined substantial changes:	三古 ツ 「
☐ Withdrawn by agency ☐ Subject to Legislative Review	
Other:	필요 골 []
LI OHM.	

ORIGINAL

1. Rule-Making Agency: Mining and Energy Commission	NOV 212014	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1201, Purpose and Scope		
3. Action:		
X ADOPTION AMENDMENT REPEAL 4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)	
X No	□ 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/min	ing-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)	8. Fiscal impact (check all that apply):	
	☐ State funds affected	
Yes Agency submitted request for consultation on:	Environmental permitting of DOT affected and	
Consultation not required. Cite authority:	analysis submitted to Board of Transportation	
	Local funds affected	
X No	Substantial economic impact (≥\$1,000,000)  Approved by OSBM	
	X No fiscal note required	
0 DEAC	ON FOR ACTION	
9A. What prompted this action? Check all that apply:	ON FOR ACTION	
☐ Agency	X Legislation enacted by the General Assembly	
Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4	
Federal statute / cite:	Petition for rule-making	
Federal regulation / cite:  9B. Explain: Session Law 2012-143 directed the MEC to add	Other:  opt rules that would protect public health and safety; protect public and	
	nd 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.	11. Signature of Agency Head* or, Rule-making Coordinator:	
Address: 1612 Mail Service Center		
Raleigh, NC 27699-1612 <b>Phone:</b> 919-707-9239	100 /2//a /	
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to	
g	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Agency Contact, if any: Jennifer Everett		
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.  Titles DEMI R MEC Byle molting Coordinator	
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinator OAH USE ONLY	
A action toltons		
DDC Extended period of reviews		
RRC Extended period of review:  RRC determined substantial changes:	Time I	
Withdrawn by agency		
Subject to Legislative Review	6' 9 m	
Other:	(A) (A)	

ORIGINAL

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: X ADOPTION AMENDMENT REPEAL ' 5. Rule automatically subject to legislative review? 4. Rule exempt from RRC review? X Yes. Cite authority: S.L. 2014-4 § 2.(a) Yes. Cite authority: □ No X 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 Notice not required under G.S.: Adoption by agency on: 7. Rule establishes or increases a fee? (See G.S. 12-3.1) 8. Fiscal impact (check all that apply): State funds affected ☐ Yes Environmental permitting of DOT affected and Agency submitted request for consultation on: analysis submitted to Board of Transportation Consultation not required. Cite authority: Local funds affected Substantial economic impact (≥\$1,000,000) X No Approved by OSBM X No fiscal note required 9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: ☐ Agency X Legislation enacted by the General Assembly Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4 Court order / cite: Petition for rule-making Federal statute / cite: Other: ☐ Federal regulation / cite: 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. 11. Signature of Agency Head\* or Rule-making Coordinator: 10. Rule-making Coordinator: Robert B. Josey Jr. Address: 1612 Mail Service Center Raleigh, NC 27699-1612 Phone: 919-707-9239 \*If this function has been delegated (reassigned) pursuant to E-Mail: robert.josey@ncdenr.gov G.S. 143B-10(a), submit a copy of the delegation with this form. Agency Contact, if any: Jennifer Everett Phone: 919-707-8614 Typed Name: Robert B. Josey Jr. Title: DEMLR/MEC Rule-making Coordinate E-Mail: Jennifer.everett@ncdenr.gov RRC AND OAH USE ONLY Action taken: RRC Extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:

ORIGINAL

1. Rule-Making Agency: Mining and Energy Commission 2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1203, Drilling Unit Public Notification Requirements ☐ REPEAL 4. Rule exempt from RRC review? 5. Rule automatically subject to legislative review? X Yes. Cite authority: S.L. 2014-4 § 2.(a) Yes. Cite authority: □ No X 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 Notice not required under G.S.: Adoption by agency on: 7. Rule establishes or increases a fee? (See G.S. 12-3.1) 8. Fiscal impact (check all that apply): State funds affected ☐ Yes Environmental permitting of DOT affected and Agency submitted request for consultation on: analysis submitted to Board of Transportation Consultation not required. Cite authority: Local funds affected Substantial economic impact (≥\$1,000,000) X No Approved by OSBM X No fiscal note required 9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: ☐ Agency X Legislation enacted by the General Assembly ☐ Court order / cite: Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4 Federal statute / cite: Petition
Other: Petition for rule-making Federal regulation / cite: 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. 11. Signature of Agency Head\* or Rule-making Coordinator: Address: 1612 Mail Service Center Raleigh, NC 27699-1612 Phone: 919-707-9239 \*If this function has been delegated (reassigned) pursuant to E-Mail: robert.josey@ncdenr.gov G.S. 143B-10(a), submit a copy of the delegation with this form. Agency Contact, if any: Jennifer Everett Phone: 919-707-8614 Typed Name: Robert B. Josey Jr. E-Mail: Jennifer.everett@ncdenr.gov 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:

1. Rule-Making Agency: Mining and Energy Commission	NOV 2 1 2014	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1204, Denial or Modification of Drilling Unit		
Application		
3. Action:		
X ADOPTION AMENDMENT REPEAL		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)	
X No	□ 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  Notice not required under G.S.: Adoption by agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact (check all that apply):	
Yes	☐ State funds affected	
Agency submitted request for consultation on:	Environmental permitting of DOT affected and	
Consultation not required. Cite authority:	analysis submitted to Board of Transportation	
•	Local funds affected  Substantial economic impact (≥\$1,000,000)	
X No	Approved by OSBM	
	X No fiscal note required	
0 DEAS	ON FOR ACTION	
9A. What prompted this action? Check all that apply:	ON TOR ACTION	
☐ Agency	X Legislation enacted by the General Assembly	
Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4	
Federal statute / cite:	Petition for rule-making	
Federal regulation / cite:	Other:	
<b>9B.</b> 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		
	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.	11. Signature of Agency Head* or Rule-making Coordinator:	
Address: 1612 Mail Service Center	11. Signature of Agency from of Run-making coordinator.	
Raleigh, NC 27699-1612	Mat /4 //	
Phone: 919-707-9239	and the second second	
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.	
Agency Contact, if any: Jennifer Everett	G.S. 143B-10(a), Submit a copy of the delegation with this for m.	
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.	
E-Mail: Jennifer.everett@ncdenr.gov	Parameter 1	
<del> </del>	OAH USE ONLY	
Action taken:  RRC Extended period of review:  RRC determined substantial changes:		
RRC Extended period of review:	g = \ \ \	
RRC determined substantial changes:	s e V	
RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

ORIGINAL

NOV 2.1 2014

1. Rule-Making Agency: Mining and Energy Commission	1104 12 TO11	
2. Rule citation & name (name not required for repeal): 1: Unconventional Reservoirs	5A NCAC 05H .1205, Well Spacing Requirements For Resources in	
3. Action: X ADOPTION AMENDMENT REPEAL		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)	
X No	□ 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  Notice not required under G.S.: Adoption by agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact (check all that apply):	
☐ Yes	☐ State funds affected	
Agency submitted request for consultation on:	Environmental permitting of DOT affected and	
Consultation not required. Cite authority:	analysis submitted to Board of Transportation	
~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~	Local funds affected	
X No	Substantial economic impact (≥\$1,000,000)	
	Approved by OSBM  X No fiscal note required	
	A No listar note required	
9. REASO 9A. What prompted this action? Check all that apply:	ON FOR ACTION	
☐ Agency	X Legislation enacted by the General Assembly	
Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4	
Federal statute / cite:	Petition for rule-making	
Federal regulation / cite:	Other:	
	opt rules that would protect public health and safety; protect public and	
	nd other natural resources; promote economic development and expand lefficient development of the State's oil and gas resources. After	
	SL 2012-143, and information from studies about the operation and	
	action 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.	11. Signature of Agency Head* or Rule-making Coordinator:	
Address: 1612 Mail Service Center		
Raleigh, NC 27699-1612 Phone: 919-707-9239	Chat B	
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to	
12-Man 1000tt.justy (chlodom.gov	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Agency Contact, if any: Jennifer Everett	6 = 1	
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.	
E-Mail: Jennifer.everett@ncdenr.gov	A TOTAL DE LA CONTROL DE LA CO	
	O OAH USE ONLY	
Action taken:		
RRC Extended period of review:	<u>ā</u> = \	
RRC determined substantial changes:		
Withdrawn by agency	<del></del>	
Subject to Legislative Review		
Other:	<b>i</b>	

ORIGINAL NOV 21 2014

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 AMENDMENT REPEAL	5. Rule automatically subject to legislative review?	
4. Rule exempt from RRC review?  Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)	
X No	No	
	1.0	
6. Notice for Proposed Rule:	ļ	
X Notice Required Notice of Text published on: 7/15/14	·	
Link to Agency notice: http://portal.ncdenr.org/web/min	ing-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)	8. Fiscal impact (check all that apply):	
☐ Yes	State funds affected	
Agency submitted request for consultation on:	Environmental permitting of DOT affected and	
Consultation not required. Cite authority:	analysis submitted to Board of Transportation  Local funds affected	
	Substantial economic impact (≥\$1,000,000)	
X No	Approved by OSBM	
	X No fiscal note required	
9 REAS	ON FOR ACTION	
9A. What prompted this action? Check all that apply:	on Formerion	
☐ Agency	X Legislation enacted by the General Assembly	
Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4	
Federal statute / cite:	Petition for rule-making	
Federal regulation / cite:	Other:  opt rules that would protect public health and safety; protect public and	
private property: protect and conserve the State's air, water, a	nd other natural resources; promote economic development and expand	
employment opportunities; and provide for the productive and	l 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		
	and gas industry for the purpose of oil and gas exploration and	
development.  10. Rule-making Coordinator: Robert B. Josey Jr.	11. Signature of Agency Head* or Rule-making Coordinator:	
Address: 1612 Mail Service Center	At 1	
Raleigh, NC 27699-1612		
Phone: 919-707-9239	Jam Il fing for	
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.	
Agency Contact, if any: Jennifer Everett	G.S. 145D-10(a), submit a copy of the delegation with this form.	
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.	
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinator	
RRC AND OAH USE ONLY		
Action taken:		
	市品 - !	
RRC Extended period of review:		
RRC determined substantial changes:	· · · · · · · · · · · · · · · · · · ·	
Withdrawn by agency		
Subject to Legislative Review		
Other:		

ORIGINAL

1. Rule-Making Agency: Mining and Energy Commission	NOV 2 1 2014	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1301, Purpose and Scope		
3. Action:		
X ADOPTION AMENDMENT REPEAL		
4. Rule exempt from RRC review?  Yes. Cite authority:	5. Rule automatically subject to legislative review?	
X No	X Yes. Cite authority: S.L. 2014-4 § 2.(a)	
6. Notice for Proposed Rule:		
X Notice Required		
Notice of Text published on: 7/15/14	ing and analysi commission/withlic comment massings	
Link to Agency notice: http://portal.ncdenr.org/web/min Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14	ing-and-energy-commission/public-comment-meetings	
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)	8. Fiscal impact (check all that apply):	
☐ Yes	☐ State funds affected	
Agency submitted request for consultation on:	☐ Environmental permitting of DOT affected and	
Consultation not required. Cite authority:	analysis submitted to Board of Transportation	
	<ul><li>Local funds affected</li><li>Substantial economic impact (≥\$1,000,000)</li></ul>	
X No	Approved by OSBM	
	X No fiscal note required	
9. REAS	ON FOR ACTION	
9A. What prompted this action? Check all that apply:		
Agency	X Legislation enacted by the General Assembly	
Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4	
☐ Federal statute / cite:☐ Federal regulation / cite:	☐ Petition for rule-making ☐ Other:	
	opt rules that would protect public health and safety; protect public and	
private property; protect and conserve the State's air, water, a	nd other natural resources; promote economic development and expand	
	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		
	and gas industry for the purpose of oil and gas exploration and	
development.	man gab madely for the purpose of on and gab exploitation and	
10. Rule-making Coordinator: Robert B. Josey Jr.	11. Signature of Agency Head* or Rule-making Coordinator:	
Address: 1612 Mail Service Center	A + A A A	
Raleigh, NC 27699-1612 Phone: 919-707-9239	WW BL	
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to	
	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Agency Contact, if any: Jennifer Everett	7	
Phone: 919-707-8614 E-Mail: Jennifer.everett@ncdenr.gov	Typed Name: Robert B. Josey Jr.  Title: DEMLR/MEC Rule-making Coordinator	
	OAH USE ONLY	
Action taken:		
DBC Extended period of reviews	また。 また。 ここには、 には、 には、 には、 には、 には、 には、 には、	
<ul><li>☐ RRC Extended period of review;</li><li>☐ RRC determined substantial changes;</li></ul>	EC 3	
Withdrawn by agency		
Subject to Legislative Review	S E III	
Other;		

ORIGINAL

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 3. Action: REPEAL X ADOPTION AMENDMENT 5. Rule automatically subject to legislative review? 4. Rule exempt from RRC review? X Yes. Cite authority: S.L. 2014-4 § 2.(a) Yes. Cite authority: □ No X 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 Notice not required under G.S.: Adoption by agency on: 7. Rule establishes or increases a fee? (See G.S. 12-3.1) 8. Fiscal impact (check all that apply): State funds affected ☐ Yes Environmental permitting of DOT affected and Agency submitted request for consultation on: analysis submitted to Board of Transportation Consultation not required. Cite authority: Local funds affected Substantial economic impact (≥\$1,000,000) X No Approved by OSBM X No fiscal note required 9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: X Legislation enacted by the General Assembly Agency Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4 Court order / cite: Petition for rule-making Federal statute / cite: Other: Federal regulation / cite: 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. 11. Signature of Agency Head\* or Rule-making Coordinator: Address: 1612 Mail Service Center Raleigh, NC 27699-1612 Phone: 919-707-9239 \*If this function has been delegated (reassigned) pursuant to E-Mail: robert.josey@ncdenr.gov G.S. 143B-10(a), submit a copy of the delegation with this form. Agency Contact, if any: Jennifer Everett Typed Name: Robert B. Josey Jr. Phone: 919-707-8614 Title: DEMLR/MEC Rule-making Coordinates E-Mail: Jennifer.everett@ncdenr.gov RRC AND OAH USE ONLY Action taken: RRC Extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:

1. Rule-Making Agency: Mining and Energy Commission	NOV 2 1 2014	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1303, Oil or Gas Well Permit Application		
1 /		
3. Action:		
X ADOPTION AMENDMENT REPEAL		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)	
X No	□ 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/min	ing-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)	8. Fiscal impact (check all that apply):	
	☐ State funds affected	
Yes	Environmental permitting of DOT affected and	
Agency submitted request for consultation on:  Consultation not required. Cite authority:	analysis submitted to Board of Transportation	
Consultation not required. Cite authority.	Local funds affected	
X No	Substantial economic impact (≥\$1,000,000)	
	Approved by OSBM	
	X No fiscal note required	
9. REAS	ON FOR ACTION	
9A. What prompted this action? Check all that apply:		
☐ Agency	X Legislation enacted by the General Assembly	
Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4	
Federal statute / cite:	Petition for rule-making	
Federal regulation / cite:	☐ Other:	
9B. Explain: Session Law 2012-143 directed the MEC to add	opt rules that would protect public health and safety; protect public and	
private property; protect and conserve the State's air, water, at	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 SL 2012-143, and information from studies about the operation and	
notential impacts of modern oil and gas exploration and produ	ction activities, the MEC is proposing to adopt 124 new rules and to	
reneal 10 others rules in order to appropriately regulate the oil	and gas industry for the purpose of oil and gas exploration and	
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.	11. Signature of Agency Head* or Rule-making Coordinator:	
Address: 1612 Mail Service Center		
Raleigh, NC 27699-1612		
Phone: 919-707-9239	Rock Of for	
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to	
	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Agency Contact, if any: Jennifer Everett		
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.	
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinator	
RRC AND OAH USE ONLY		
Action taken:  RRC Extended period of review:		
	So a H	
RRC Extended period of review:		
RRC determined substantial changes:	王	
Withdrawn by agency	The state of the s	
Subject to Legislative Review	프우 로	
Other:	S Statement	

1. Rule-Making Agency: Mining and Energy Commission	NOV 2 1 2014
<u> </u>	6A NCAC 05H .1304, Contents of Oil or Gas Well Permit Application
3. Action:  X ADOPTION	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)
X No	□ 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/mini	ing-and-energy-commission/public-comment-meetings
<b>Hearing on:</b> 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:	
	0.174 14 4 (1. 2. 194) 4 10
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact (check all that apply):
☐ Yes	State funds affected
Agency submitted request for consultation on:	Environmental permitting of DOT affected and analysis submitted to Board of Transportation
Consultation not required. Cite authority:	Local funds affected
W NT.	Substantial economic impact (≥\$1,000,000)
X No	Approved by OSBM
	X No fiscal note required
9. REASO	ON FOR ACTION
9A. What prompted this action? Check all that apply:	•
Agency	X Legislation enacted by the General Assembly
Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4
<ul><li>☐ Federal statute / cite:</li><li>☐ Federal regulation / cite:</li></ul>	Petition for rule-making Other:
	opt rules that would protect public health and safety; protect public and
	nd other natural resources; promote economic development and expand
	efficient development of the State's oil and gas resources. After
	SL 2012-143, and information from studies about the operation and
	ction activities, the MEC is proposing to adopt 124 new rules and to and gas industry for the purpose of oil and gas exploration and
development.	and gas industry for the purpose of on and gas exploration and
10. Rule-making Coordinator: Robert B. Josey Jr.	11. Signature of Agency Head* or Rule-making Coordinator:
Address: 1612 Mail Service Center	210 %
Raleigh, NC 27699-1612	Mat b // _ //
Phone: 919-707-9239 E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to
12-iniai. 1000i.josoy@nodoii.gov	G.S. 143B-10(a), submit a copy of the delegation with this form.
Agency Contact, if any: Jennifer Everett	
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinator  OAH USE ONLY
Action taken:	OAH USE ONLY
Tieton timon.	
_	<u> </u>
RRC Extended period of review:	<b>売</b> 2
RRC determined substantial changes: Withdrawn by agency	\$6.
Subject to Legislative Review	
Other:	33 = -



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 AMENDMENT REPEAL 4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)
X No	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/min	ing and energy-commission/public-comment-meetings
Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14	mg-and-energy-commission/public-comment informes
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)	8. Fiscal impact (check all that apply):
	☐ State funds affected
Yes Agency submitted request for consultation on:	Environmental permitting of DOT affected and
Consultation not required. Cite authority:	analysis submitted to Board of Transportation
	<ul><li>Local funds affected</li><li>Substantial economic impact (≥\$1,000,000)</li></ul>
X No	Approved by OSBM
	X No fiscal note required
9 PFAS	ON FOR ACTION
9A. What prompted this action? Check all that apply:	on Fox Action
Agency	X Legislation enacted by the General Assembly
Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4
Federal statute / cite:	Petition for rule-making
Federal regulation / cite:	Other:
	opt rules that would protect public health and safety; protect public 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 produ	ection activities, the MEC is proposing to adopt 124 new rules and to
	and gas industry for the purpose of oil and gas exploration and
development.  10. Rule-making Coordinator: Robert B. Josey Jr.	11. Signature of Agency Head* or Rule-making Coordinator:
Address: 1612 Mail Service Center	
Raleigh, NC 27699-1612	
Phone: 919-707-9239	mon of
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.
Agency Contact, if any: Jennifer Everett	G.5. 145D-10(a), Submit a copy of the delegation with this form.
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinator
	OAH USE ONLY
Action taken:	· · · · · · · · · · · · · · · · · · ·
Action taken:	
RRC Extended period of review:	
RRC determined substantial changes:	市界 2
Withdrawn by agency	
☐ Subject to Legislative Review ☐ Other:	夏节 3 11
LI VIIIVI.	Transport Contraction

ORIGINAL NOV 21 2014

1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1306, Fees	
3. Action:	
X ADOPTION AMENDMENT REPEAL	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
☐ Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)
X No	□ 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; 8/25/14; 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)	8. Fiscal impact (check all that apply):
Yes Agency submitted request for consultation on: Consultation not required. Cite authority:  X No	<ul> <li>State funds affected</li> <li>Environmental permitting of DOT affected and analysis submitted to Board of Transportation</li> <li>Local funds affected</li> <li>Substantial economic impact (≥\$1,000,000)</li> <li>Approved by OSBM</li> <li>X No fiscal note required</li> </ul>
Q REAS(	ON FOR ACTION
9A. What prompted this action? Check all that apply:  Agency Court order / cite: Federal statute / cite: Federal regulation / cite:  9B. Explain: Session Law 2012-143 directed the MEC to adoprivate property; protect and conserve the State's air, water, are employment opportunities; and provide for the productive and reviewing the current regulations of the State, the mandate in Spotential impacts of modern oil and gas exploration and productive repeal 10 others rules in order to appropriately regulate the oil development.	X Legislation enacted by the General Assembly Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4 Petition for rule-making Other: Opt rules that would protect public health and safety; protect public and other natural resources; promote economic development and expand efficient development of the State's oil and gas resources. After SL 2012-143, and information from studies about the operation and action activities, the MEC is proposing to adopt 124 new rules and to and gas industry for the purpose of oil and gas exploration and
10. Rule-making Coordinator: Robert B. Josey Jr.	11. Signature of Agency Head* or Rule-making Coordinator:
Address: 1612 Mail Service Center Raleigh, NC 27699-1612	//+ 0/
Phone: 919-707-9239	Khal Dhy h
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.
Agency Contact, if any: Jennifer Everett Phone: 919-707-8614 E-Mail: Jennifer.everett@ncdenr.gov	Typed Name: Robert B. Josey Jr. Title: DEMLR/MEC Rule-making Coordinator
	O OAH USE ONLY
Action taken:  RRC Extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:	DWIN HEARINGS



1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1307, Application Review Process	
3. Action: X ADOPTION AMENDMENT REPEAL	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)
· · · · · · · · · · · · · · · · · · ·	No
X 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  Notice not required under G.S.:	
Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact (check all that apply):
☐ Yes Agency submitted request for consultation on: Consultation not required. Cite authority:  X No	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
	X No fiscal note required
9A. What prompted this action? Check all that apply:  Agency Court order / cite: Federal statute / cite: Federal regulation / cite:  9B. Explain: Session Law 2012-143 directed the MEC to ad private property; protect and conserve the State's air, water, a employment opportunities; and provide for the productive and reviewing the current regulations of the State, the mandate in potential impacts of modern oil and gas exploration and productive and repeal 10 others rules in order to appropriately regulate the oil development.	X Legislation enacted by the General Assembly Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4 Petition for rule-making Other: Opt rules that would protect public health and safety; protect public and and other natural resources; promote economic development and expand defficient development of the State's oil and gas resources. After SL 2012-143, and information from studies about the operation and action activities, the MEC is proposing to adopt 124 new rules and to I and gas industry for the purpose of oil and gas exploration and
10. Rule-making Coordinator: Robert B. Josey Jr.	11. Signature of Agency Head* or Rule-making Coordinator:
Address: 1612 Mail Service Center	
Raleigh, NC 27699-1612  Phone: 919-707-9239	Klow Bhall
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to
Agency Contact, if any: Jennifer Everett Phone: 919-707-8614	G.S. 143B-10(a), submit a copy of the delegation with this form.  Typed Name: Robert B. Josey Jr.
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinate
	DOALLINE ONLY
Action taken:  RRC Extended period of review: RRC determined substantial changes: Withdrawn by agency	THE PART OF THE PA
Subject to Legislative Review Other:	2 0

1. Rule-Making Agency: Mining and Energy Commission	NOV 2 1 2014
2. Rule citation & name (name not required for repeal): 1:	5A NCAC 05H .1308, Permit Conditions
3. Action:	
X ADOPTION AMENDMENT REPEAL	5 Duly and matically subject to logislating proving
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review? X Yes. Cite authority: S.L. 2014-4 § 2.(a)
Yes. Cite authority:	No
X No	Пи
6. Notice for Proposed Rule:	
X Notice Required	
Notice of Text published on: 7/15/14	in and an area in the first transfer of the
Link to Agency notice: http://portal.ncdenr.org/web/min Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14	ing-and-energy-commission/public-comment-meetings
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)	8. Fiscal impact (check all that apply):
_	State funds affected
Yes	Environmental permitting of DOT affected and
Agency submitted request for consultation on:  Consultation not required. Cite authority:	analysis submitted to Board of Transportation
Consultation not required. Cite authority.	Local funds affected
X No	Substantial economic impact (≥\$1,000,000)
	☐ Approved by OSBM  X No fiscal note required
	ON FOR ACTION
9A. What prompted this action? Check all that apply:	V I all lade and the Ala Consult Assembly
☐ Agency ☐ Court order / cite:	X Legislation enacted by the General Assembly Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4
Federal statute / cite:	Petition for rule-making
Federal regulation / cite:	Other:
	opt rules that would protect public health and safety; protect public and
	nd 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	
	and gas industry for the purpose of oil and gas exploration and
development.	
10. Rule-making Coordinator: Robert B. Josey Jr.	11. Signature of Agency Head* or Rule-making Coordinator:
Address: 1612 Mail Service Center	M+0
Raleigh, NC 27699-1612 Phone: 919-707-9239	The Bloom h
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to
, , ,	G.S. 143B-10(a), submit a copy of the delegation with this form.
Agency Contact, if any: Jennifer Everett	
Phone: 919-707-8614 E-Mail: Jennifer.everett@ncdenr.gov	Typed Name: Robert B. Josey Jr.  Title: DEMLR/MEC Rule-making Coordinate
<u> </u>	
Action taken:	DOAH USE ONLY
	To be a second of the second o
	The second second
RRC Extended period of review:	<u> </u>
RRC determined substantial changes: Withdrawn by agency	
Subject to Legislative Review	8 E U
Other:	$\sim$

# SUBMISSION FOR PERMANENT RULE ORIGINAL

1. Rule-Making Agency: Mining and Energy Commission	NOV 2 1 2014
2. Rule citation & name (name not required for repeal): 1:	5A NCAC 05H .1309, Denial of Application 1907 & 1 2017
· · · · · · · · · · · · · · · · · · ·	
3. Action:	
X ADOPTION AMENDMENT REPEAL	5. Rule automatically subject to legislative review?
4. Rule exempt from RRC review?	X Yes. Cite authority: S.L. 2014-4 § 2.(a)
Yes. Cite authority:	<u> </u>
X No	□ 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/min	ing-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)	8. Fiscal impact (check all that apply):
7. Kuit tstabilishes of incleases a fee: (See G.S. 12-5.1)	
☐ Yes	<ul> <li>State funds affected</li> <li>Environmental permitting of DOT affected and</li> </ul>
Agency submitted request for consultation on:	analysis submitted to Board of Transportation
Consultation not required. Cite authority:	Local funds affected
V No	Substantial economic impact (≥\$1,000,000)
X No	Approved by OSBM
	X No fiscal note required
9. REAS	ON FOR ACTION
9A. What prompted this action? Check all that apply:	
Agency	X Legislation enacted by the General Assembly
Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4
Federal statute / cite:	☐ Petition for rule-making ☐ Other:
Federal regulation / cite:	opt rules that would protect public health and safety; protect public and
private property: protect and conserve the State's air, water, a	nd other natural resources; promote economic development and expand
employment opportunities; and provide for the productive and	d 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 produ	uction activities, the MEC is proposing to adopt 124 new rules and to
	l and gas industry for the purpose of oil and gas exploration and
development.  10. Rule-making Coordinator: Robert B. Josey Jr.	11. Signature of Agency Head* or Rule-making Coordinator:
Address: 1612 Mail Service Center	// ) //
Raleigh, NC 27699-1612	
Phone: 919-707-9239	from O) for the
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to
Contact if any law if a Franch	G.S. 143B-10(a), submit a copy of the delegation with this form.
Agency Contact, if any: Jennifer Everett Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinator
	D OAH USE ONLY
Action taken:	
	一直 一
DDC Extended newled of reviews	原命と「
RRC Extended period of review: RRC determined substantial changes:	Po -
Withdrawn by agency	67 ₹ ///
Subject to Legislative Review	S T
☐ Other:	o

1. Rule-Making Agency: Mining and Energy Commission	NOV 2 1 2014	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1310, Permit Modifications		
2 Action		
3. Action: X ADOPTION AMENDMENT REPEAL		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
☐ Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)	
X No	□ 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  Notice not required under G.S.: Adoption by agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact (check all that apply):	
Yes Agency submitted request for consultation on: Consultation not required. Cite authority:	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  X No fiscal note required	
9A. What prompted this action? Check all that apply:  Agency Court order / cite: Federal statute / cite: Federal regulation / cite:  9B. Explain: Session Law 2012-143 directed the MEC to adprivate property; protect and conserve the State's air, water, a employment opportunities; and provide for the productive and reviewing the current regulations of the State, the mandate in potential impacts of modern oil and gas exploration and productive and repeal 10 others rules in order to appropriately regulate the oil development.	X Legislation enacted by the General Assembly Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4 Petition for rule-making Other: opt rules that would protect public health and safety; protect public and nd other natural resources; promote economic development and expand defficient development of the State's oil and gas resources. After SL 2012-143, and information from studies about the operation and action activities, the MEC is proposing to adopt 124 new rules and to land gas industry for the purpose of oil and gas exploration and	
10. Rule-making Coordinator: Robert B. Josey Jr. Address: 1612 Mail Service Center	11. Signature of Agency Head* or Rule-making Coordinator:	
Raleigh, NC 27699-1612	M+QI	
Phone: 919-707-9239	Show Offing for	
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.	
Agency Contact, if any: Jennifer Everett	G.S. 143D-10(a), submit a copy of the delegation with distribution.	
Phone: 919-707-8614	PER   1 N. Y Y   TOP   1 N. Y Y Y Y Y   TOP   1 N. Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y	
E-Mail: Jennifer.everett@ncdenr.gov	Typed Name: Robert B. Josey Jr.  Title: DEMLR/MEC Rule-making Coordinater 7	
······································	O OAH USE ONLY	
Action taken:  RRC Extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:	ARINGS	

1. Rule-Making Agency: Mining and Energy Commission	* NOV 2 1 2014
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1311, Permit Transfers	
3. Action:	
X ADOPTION AMENDMENT REPEAL	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)
X No	□ 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/min	ing and energy-commission/public-comment-meetings
Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14	ing-and-energy-commission/phone-comment-meetings
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)	8. Fiscal impact (check all that apply):
	State funds affected
Yes	Environmental permitting of DOT affected and
Agency submitted request for consultation on:  Consultation not required. Cite authority:	analysis submitted to Board of Transportation
Consultation not required. Cite authority.	Local funds affected
X No	Substantial economic impact (≥\$1,000,000)
	☐ Approved by OSBM  X No fiscal note required
	A 130 listar note required
	ON FOR ACTION
9A. What prompted this action? Check all that apply:	NY X 11 (1) (1) (2) (2) (3) (4) (4)
☐ Agency	X Legislation enacted by the General Assembly Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4
Court order / cite: Federal statute / cite:	Petition for rule-making
Federal statute / cite:	Other:
	opt rules that would protect public health and safety; protect public and
private property; protect and conserve the State's air, water, a	nd 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 produ	action activities, the MEC is proposing to adopt 124 new rules and to
development.	and gas industry for the purpose of oil and gas exploration and
10. Rule-making Coordinator: Robert B. Josey Jr.	11. Signature of Agency Head* or Rule-making Coordinator:
Address: 1612 Mail Service Center	
Raleigh, NC 27699-1612	MT /5 / //
Phone: 919-707-9239	Maril May L
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.
Agency Contact, if any: Jennifer Everett	G.S. 145B-10(a), submit a copy of the delegation with this form.
Phone: 919-707-8614	
E-Mail: Jennifer.everett@ncdenr.gov	Typed Name: Robert B. Josey Jr.  Title: DEMLR/MEC Rule-making Coordinater
RRC ANI	O OAH USE ONLY
Action taken:	E TO
	# 유 로 시 / · · · · · · · · · · · · · · · · · ·
DDC Extended period of reviews	Distriction of the second
RRC Extended period of review: RRC determined substantial changes:	
Withdrawn by agency	N
Subject to Legislative Review	
Other	

# ORIGINAL

1. Rule-Making Agency: Mining and Energy Commission	NOV 2 1 2014	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1312, Permit Expiration		
3. Action: X ADOPTION AMENDMENT REPEAL		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)	
X No	□ 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 Notice not required under G.S.: Adoption by agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact (check all that apply):	
	State funds affected	
Yes	Environmental permitting of DOT affected and	
Agency submitted request for consultation on:  Consultation not required. Cite authority:	analysis submitted to Board of Transportation	
Consultation not required. Cite authority:	Local funds affected	
X No	Substantial economic impact (≥\$1,000,000)	
	Approved by OSBM	
	X No fiscal note required	
9. REASO 9A. What prompted this action? Check all that apply:	ON FOR ACTION	
Agency	X Legislation enacted by the General Assembly	
Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4	
Federal statute / cite:	Petition for rule-making	
Federal regulation / cite:  98 Evaluin: Session Law 2012, 143 directed the MEC to add	Other:  opt rules that would protect public health and safety; protect public and	
private property: protect and conserve the State's air water at	nd 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 S	SL 2012-143, and information from studies about the operation and	
potential impacts of modern oil and gas exploration and produ	ction 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.	11 Signature of Agency Woods as D. L. C. V.	
Address: 1612 Mail Service Center	11. Signature of Agency Head* or Rule-making Coordinator:	
Raleigh, NC 27699-1612		
Phone: 919-707-9239	Color II has h	
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to	
A non-ne Contact if any Lowife D	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Agency Contact, if any: Jennifer Everett Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.	
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinates	
	OAH USE ONLY	
Action taken:		
DDC Extended period of various	PRO PRO 11 02 02 02 02 02 02 02 02 02 02 02 02 02	
RRC Extended period of review:  RRC determined substantial changes:		
Withdrawn by agency	92 9	
Subject to Legislative Review		
Other:		

1. Rule-Making Agency: Mining and Energy Commission	NOV 2 1 <b>201</b> 4
2. Rule citation & name (name not required for repeal): 1.	
3. Action: X ADOPTION AMENDMENT REPEAL	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)
X No	□ 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/min 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:	ing-and-energy-commission/public-comment-meetings
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact (check all that apply):
Yes Agency submitted request for consultation on: Consultation not required. Cite authority:  X No	<ul> <li>State funds affected</li> <li>Environmental permitting of DOT affected and analysis submitted to Board of Transportation</li> <li>Local funds affected</li> <li>Substantial economic impact (≥\$1,000,000)</li> <li>Approved by OSBM</li> <li>X No fiscal note required</li> </ul>
9. REASO 9A. What prompted this action? Check all that apply:	ON FOR ACTION
☐ Agency	X Legislation enacted by the General Assembly
Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4
Federal statute / cite:	Petition for rule-making
Federal regulation / cite:	Other:
	opt rules that would protect public health and safety; protect public and other natural resources; promote economic development and expand
	l efficient development of the State's oil and gas resources. After
	SL 2012-143, and information from studies about the operation and
	action activities, the MEC is proposing to adopt 124 new rules and to
	and gas industry for the purpose of oil and gas exploration and
development.	
10. Rule-making Coordinator: Robert B. Josey Jr.	11. Signature of Agency Head* or Rule-making Coordinator:
Address: 1612 Mail Service Center	
Raleigh, NC 27699-1612 <b>Phone:</b> 919-707-9239	Blot 15/m //
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to
	G.S. 143B-10(a), submit a copy of the delegation with this form.
Agency Contact, if any: Jennifer Everett	.,,
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinator
······································	O OAH USE ONLY
Action taken:	
	15 2
RRC Extended period of review:	一 一 一 一 一 一 一 一 一 一 一 一 一 一 一 一 一 一 一
RRC determined substantial changes: Withdrawn by agency	THE PROPERTY OF THE PROPERTY O
Subject to Legislative Review	
Other:	

# SUBMISSION FOR PERMANENT RULE ORIGINAL

1. Rule-Making Agency: Mining and Energy Commission	11014 o 4 004L
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1314, Permit Release	
2. Real control of name (name not required for repeat). 15111(Cité 0511/151/1, 1 01/11/10/10/00)	
3. Action:	
X ADOPTION AMENDMENT REPEAL	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)
X No	□ 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/min	ing-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)	8. Fiscal impact (check all that apply):
<u> </u>	State funds affected
Yes	Environmental permitting of DOT affected and
Agency submitted request for consultation on:	analysis submitted to Board of Transportation
Consultation not required. Cite authority:	Local funds affected
X No	Substantial economic impact (≥\$1,000,000)
	Approved by OSBM
	X No fiscal note required
	ON FOR ACTION
9A. What prompted this action? Check all that apply:	
Agency	X Legislation enacted by the General Assembly
Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4
☐ Federal statute / cite:☐ Federal regulation / cite:	Petition for rule-making Other:
	opt rules that would protect public health and safety; protect public and
private property; protect and conserve the State's air, water, ar	nd other natural resources; promote economic development and expand
	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.	and gas middsuly for the purpose of on and gas exploration and
10. Rule-making Coordinator: Robert B. Josey Jr.	11. Signature of Agency Head* or Rule-making Coordinator:
Address: 1612 Mail Service Center	
Raleigh, NC 27699-1612	MAT B //
Phone: 919-707-9239	Maria
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.
Agency Contact, if any: Jennifer Everett	G.S. 14515-10(a), submit a copy of the delegation with this form.
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinator
RRC AND OAH USE ONLY	
Action taken:	29 8
	I C 2
RRC Extended period of review:	
RRC determined substantial changes:	목우 골 []
Withdrawn by agency	6 · ·
Subject to Legislative Review	
Other:	N I

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: .	
X ADOPTION AMENDMENT REPEAL	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)
X No	□ No
6. Notice for Proposed Rule:	
<del>-</del>	
X Notice Required	
Notice of Text published on: 7/15/14	ing and anguage commission/public comment mactines
Link to Agency notice: http://portal.ncdenr.org/web/min	ing-and-energy-commission/puone-comment-incerings
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)	8. Fiscal impact (check all that apply):
	☐ State funds affected
☐ Yes	Environmental permitting of DOT affected and
Agency submitted request for consultation on:	analysis submitted to Board of Transportation
Consultation not required. Cite authority:	Local funds affected
X No	☐ Substantial economic impact (≥\$1,000,000)
A NO	Approved by OSBM
	X No fiscal note required
O DEAC	ON FOR A CTION
	ON FOR ACTION
9A. What prompted this action? Check all that apply:	*** ***
Agency	X Legislation enacted by the General Assembly
Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4
Federal statute / cite:	Petition for rule-making Other:
Federal regulation / cite:	opt rules that would protect public health and safety; protect public and
	nd other natural resources; promote economic development and expand
	I 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	
	and gas industry for the purpose of oil and gas exploration and
development.	and gas industry for the purpose of oil and gas exploration and
10. Rule-making Coordinator: Robert B. Josey Jr.	11. Signature of Agency Head* or Rule-making Coordinator:
Address: 1612 Mail Service Center	
Raleigh, NC 27699-1612	
Phone: 919-707-9239	for the state of t
E-Mail: robert.josey@ncdenr.gov	*If this function has been deregated (reassigned) pursuant to
, , e	G.S. 143B-10(a), submit a copy of the delegation with this form.
Agency Contact, if any: Jennifer Everett	
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.
E-Mail: Jennifer.everett@ncdenr.gov	C LITTE PROVILE KIMEL KIME TOAKING LAAATAAN CA
RRC ANI	O OAH USE ONLY
Action taken:	IA N
	$\Sigma m - 1$
	PO P IT
RRC Extended period of review:	₹7 <b>-</b> 11
RRC determined substantial changes:	₩ = [7]
Withdrawn by agency	a U
Subject to Legislative Review	
Other:	i i

# SUBMISSION FOR PERMANENT RULE ORIGINAL

1 D. L. Malda A J. P J. P	
1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1402, Bonding Requirements NOV 2 1 2014	
3. Action:   X ADOPTION	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
	X Yes. Cite authority: S.L. 2014-4 § 2.(a)
Yes. Cite authority:	1
X No	☐ 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/min	ing-and-energy-commission/public-comment-meetings
<b>Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14</b>	
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)	8. Fiscal impact (check all that apply):
□ v.	☐ State funds affected
Yes	☐ Environmental permitting of DOT affected and
Agency submitted request for consultation on: Consultation not required. Cite authority:	analysis submitted to Board of Transportation
Consultation not required. Cite authority.	Local funds affected
X No	Substantial economic impact (≥\$1,000,000)
2x 110	Approved by OSBM
	X No fiscal note required
9. REAS	ON FOR ACTION
9A. What prompted this action? Check all that apply:	
☐ Agency	X Legislation enacted by the General Assembly
Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4
Federal statute / cite:	Petition for rule-making
Federal regulation / cite:	Other:
	opt rules that would protect public health and safety; protect public and
	nd other natural resources; promote economic development and expand
	d efficient development of the State's oil and gas resources. After
	SL 2012-143, and information from studies about the operation and
	action activities, the MEC is proposing to adopt 124 new rules and to
· • · · · · · · · · · · · · · · · · · ·	and gas industry for the purpose of oil and gas exploration and
development.	11 C'
<ul><li>10. Rule-making Coordinator: Robert B. Josey Jr.</li><li>Address: 1612 Mail Service Center</li></ul>	11. Signature of Agency Head* or Rule-making Coordinator:
Raleigh, NC 27699-1612	$dH \cdot O(1)$
Phone: 919-707-9239	KUT 13/2 /2
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to
E-man. Tooch Josey Concucunities	G.S. 143B-10(a), submit a copy of the delegation with this form.
Agency Contact, if any: Jennifer Everett	;
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinator
RRC ANI	O OAH USE ONLY
Action taken:	29 8 1
DDC Extended period of review	要而一
RRC Extended period of review: RRC determined substantial changes:	M e og
Withdrawn by agency	<u> </u>
Subject to Legislative Review	₩ = []
Other:	2 U

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:	
X ADOPTION AMENDMENT REPEAL	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)
X No	□ No
6. Notice for Proposed Rule:	<u> </u>
<ul> <li>K. Notice for Proposed Rule:</li> <li>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     Notice not required under G.S.:     Adoption by agency on:</li> </ul>	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact (check all that apply):
	☐ State funds affected
Yes Agency submitted request for consultation on: Consultation not required. Cite authority:	<ul> <li>□ Environmental permitting of DOT affected and analysis submitted to Board of Transportation</li> <li>□ Local funds affected</li> <li>□ Substantial economic impact (≥\$1,000,000)</li> </ul>
X No	Approved by OSBM
	X No fiscal note required
0 PFAS	ON FOR ACTION
9A. What prompted this action? Check all that apply:	ON FOR ACTION
☐ Agency	X Legislation enacted by the General Assembly
Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4
Federal statute / cite:	Petition for rule-making
Federal regulation / cite:	Other:
	opt rules that would protect public health and safety; protect public and
	nd other natural resources; promote economic development and expand
	l efficient development of the State's oil and gas resources. After 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.	and the property of the bank on the angle and the second and
10. Rule-making Coordinator: Robert B. Josey Jr.	11. Signature of Agency Head* or Rule-making Coordinator:
Address: 1612 Mail Service Center	
Raleigh, NC 27699-1612	Mut 15/1
Phone: 919-707-9239	The state of the s
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.
Agency Contact, if any: Jennifer Everett	0.5. 145b-10(a), submit a copy of the delegation with this form.
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinato
RRC AND	O OAH USE ONLY
Action taken:	29 2 1
	I O N
RRC Extended period of review:	
RRC determined substantial changes:	<b>399 3 11</b>
Withdrawn by agency	SO - Process
Subject to Legislative Review	
Other:	22

1. Rule-Making Agency: Mining and Energy Commission	NOV 2 1 2014
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1404, Disturbed Land Bond	
•	
3. Action:	
X ADOPTION  AMENDMENT  REPEAL	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)
X No	No
X IV0	
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/mini	ing_and_energy_commission/nublic_comment_meetings
Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14	ing-und-onorgy commission/puone comment meetings
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)	8. Fiscal impact (check all that apply):
	State funds affected
Yes	Environmental permitting of DOT affected and
Agency submitted request for consultation on:	analysis submitted to Board of Transportation
Consultation not required. Cite authority:	Local funds affected
	Substantial economic impact (≥\$1,000,000)
X No	Approved by OSBM
	X No fiscal note required
	-
	ON FOR ACTION
9A. What prompted this action? Check all that apply:	
Agency	X Legislation enacted by the General Assembly
Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4
Federal statute / cite:	Petition for rule-making
Federal regulation / cite:	Other:
	opt rules that would protect public health and safety; protect public and
private property; protect and conserve the State's air, water, ar	nd 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
	SL 2012-143, and information from studies about the operation and
	ction 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.	11. Signature of Agency Head* or Rule-making Coordinator:
Address: 1612 Mail Service Center	
Raleigh, NC 27699-1612	MILA
Phone: 919-707-9239	mar of free free free free free free free
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to
	G.S. 143B-10(a), submit a copy of the delegation with this form.
Agency Contact, if any: Jennifer Everett	
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.  Title: DEMLR/MEC Rule-making Coordinato
E-Mail: Jennifer.everett@ncdenr.gov	
	O OAH USE ONLY
Action taken:	District
	帯点 2 「TT
	\$ 17 _ FT
RRC Extended period of review:	무유 골 [] [
RRC determined substantial changes:	<b>6</b>
Withdrawn by agency	8 E
Subject to Legislative Review	$\sim$
Other:	l l

ORIGINAL

1. Rule-Making Agency: Mining and Energy Commission	NOV 2 1 2014
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1405, Environmental Damage Bond	
3. Action:	· · · · · · · · · · · · · · · · · · ·
X ADOPTION AMENDMENT REPEAL	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority: X No	X Yes. Cite authority: S.L. 2014-4 § 2.(a)
	140
6. Notice for Proposed Rule:	
X Notice Required	
Notice of Text published on: 7/15/14	to an advantage of the second
Link to Agency notice: http://portal.ncdenr.org/web/min: Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14	mg-and-energy-commission/puone-comment-meetings
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)	8. Fiscal impact (check all that apply):
	State funds affected
Yes Agency submitted request for consultation on:	Environmental permitting of DOT affected and
Consultation not required. Cite authority:	analysis submitted to Board of Transportation
	<ul><li>Local funds affected</li><li>Substantial economic impact (≥\$1,000,000)</li></ul>
X No	Approved by OSBM
	X No fiscal note required
O DEAS	ON FOR ACTION
9A. What prompted this action? Check all that apply:	JN FOR ACTION
Agency	X Legislation enacted by the General Assembly
Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4
Federal statute / cite:	Petition for rule-making
Federal regulation / cite:	Other:
	opt rules that would protect public health and safety; protect public and other natural resources; promote economic development and expand
	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 development.	and gas industry for the purpose of oil and gas exploration and
10. Rule-making Coordinator: Robert B. Josey Jr.	11. Signature of Agency Head* or Rule-making Coordinator:
Address: 1612 Mail Service Center	Of O /
Raleigh, NC 27699-1612	Mr V /
Phone: 919-707-9239	we of fine
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.
Agency Contact, if any: Jennifer Everett	
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinate
<del></del>	VOAH USE ONE)
Action taken:	
	10 2
RRC Extended period of review:	
RRC determined substantial changes:	공유 로 네
Withdrawn by agency	8 = 1
Subject to Legislative Review Other:	20

ORIGINAL

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:	
X ADOPTION AMENDMENT REPEAL	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)
X No	□ 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/min Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14	mg-and-energy-commission/public-comment-incerings
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)	8. Fiscal impact (check all that apply):
7. Rule establishes of mercases a feet (See G.S. 12 G.L)	
☐ Yes	☐ State funds affected ☐ Environmental permitting of DOT affected and
Agency submitted request for consultation on:	analysis submitted to Board of Transportation
Consultation not required. Cite authority:	Local funds affected
X No	Substantial economic impact (≥\$1,000,000)
A IVO	Approved by OSBM
	X No fiscal note required
9. REAS	ON FOR ACTION
9A. What prompted this action? Check all that apply:	
☐ Agency	X Legislation enacted by the General Assembly
Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4
Federal statute / cite:	Petition for rule-making
Federal regulation / cite:	Other:
	opt rules that would protect public health and safety; protect public and other natural resources; promote economic development and expand
	l 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 produ	action 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.	11. Signature of Agency Head* or Rule-making Coordinator:
Address: 1612 Mail Service Center	$M_{1}$
Raleigh, NC 27699-1612	April 13/ - 1
Phone: 919-707-9239 E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to
E-man. Tobolt.josoy@nodom.gov	G.S. 143B-10(a), submit a copy of the delegation with this form.
Agency Contact, if any: Jennifer Everett	\ <i>'</i>
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinator
	O OAH USE ONLY
Action taken:	WG I thin
RRC Extended period of review:	工艺》
RRC determined substantial changes:	. 写前 一 !
Withdrawn by agency	PS 2 1
Subject to Legislative Review	€ T = 11
Other:	

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 2 1 2014	
2. Acute citation to maine (name not require a repeat)	5 110 V 10 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2
3. Action:	
X ADOPTION AMENDMENT REPEAL	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)
X No	□ 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/min	ing-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:	
	O The although (about all that apply)
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact (check all that apply):
☐ Yes	State funds affected
Agency submitted request for consultation on:	<ul> <li>Environmental permitting of DOT affected and analysis submitted to Board of Transportation</li> </ul>
Consultation not required. Cite authority:	Local funds affected
	Substantial economic impact (≥\$1,000,000)
X No	Approved by OSBM
	X No fiscal note required
9 DEAS	ON FOR ACTION
9A. What prompted this action? Check all that apply:	ON TORRESTOR
Agency	X Legislation enacted by the General Assembly
Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4
Federal statute / cite:	Petition for rule-making
Federal regulation / cite:	Other:
9B. Explain: Session Law 2012-143 directed the MEC to ad	opt rules that would protect public health and safety; protect public and
private property; protect and conserve the State's air, water, a	nd other natural resources; promote economic development and expand defficient 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 produ	action 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.	11. Signature of Agency Head* or Rule-making Coordinator:
Address: 1612 Mail Service Center Raleigh, NC 27699-1612	14 0 /
Phone: 919-707-9239	Klind BL L
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to
, , , ,	G.S. 143B-10(a), submit a copy of the delegation with this form.
Agency Contact, if any: Jennifer Everett	
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.  Title: DEMLR/MEC Rule-making Coordinator
E-Mail: Jennifer.everett@ncdenr.gov	
RRC AND OAH USE ONLY	
Taction taken.	<b>まらって</b>
	No.
RRC Extended period of review:	
RRC determined substantial changes:	6
Withdrawn by agency Subject to Logiclative Payiew	<b>∞</b> ( )
Subject to Legislative Review	$\overline{\omega}$

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 2 1 2014	
2 Action	
3. Action:   X ADOPTION	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)
X No	□ 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  Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact (check all that apply):
Yes Agency submitted request for consultation on: Consultation not required. Cite authority:  X No	<ul> <li>State funds affected</li> <li>Environmental permitting of DOT affected and analysis submitted to Board of Transportation</li> <li>Local funds affected</li> <li>Substantial economic impact (≥\$1,000,000)</li> <li>Approved by OSBM</li> </ul>
	X No fiscal note required
9. REAS	ON FOR ACTION
9A. What prompted this action? Check all that apply:	
private property; protect and conserve the State's air, water, a employment opportunities; and provide for the productive and	X Legislation enacted by the General Assembly Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4 Petition for rule-making Other: opt rules that would protect public health and safety; protect public and other natural resources; promote economic development and expand defficient development of the State's oil and gas resources. After SL 2012-143, and information from studies about the operation and
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.	11. Signature of Agency Head* or Rule-making Coordinator:
Address: 1612 Mail Service Center Raleigh, NC 27699-1612 Phone: 919-707-9239	att BL, A
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.
Agency Contact, if any: Jennifer Everett Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.
Fnone: 919-707-8014   E-Mail: Jennifer.everett@ncdenr.gov	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:	
	· · · · · · · · · · · · · · · · · · ·

# SUBMISSION FOR PERMANENT RULE ORIGINAL

1. Rule-Making Agency: Mining and Energy Commission	NOV 2 1 2014
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1502, Well Site Construction Standards	
3. Action:	
X ADOPTION AMENDMENT REPEAL 4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)
X No	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/min	ing-and-energy-commission/public-comment-meetings
Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14	ing that shorts, commissions public comment meetings
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)	8. Fiscal impact (check all that apply):
	☐ State funds affected
Yes Agency submitted request for consultation on:	☐ Environmental permitting of DOT affected and
Consultation not required. Cite authority:	analysis submitted to Board of Transportation
•	<ul><li>Local funds affected</li><li>Substantial economic impact (≥\$1,000,000)</li></ul>
X No	Approved by OSBM
	X No fiscal note required
0 DEAC	ON FOR ACTION
9A. What prompted this action? Check all that apply:	ON FOR ACTION
☐ Agency	X Legislation enacted by the General Assembly
Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4
Federal statute / cite:	Petition for rule-making
Federal regulation / cite:	Other:
98. Explain: Session Law 2012-143 directed the MEC to ad-	opt rules that would protect public health and safety; protect public and nd other natural resources; promote economic development and expand
	d efficient development of the State's oil and gas resources. After
	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.	11. Signature of Agency Head* or Rule-making Coordinator:
Address: 1612 Mail Service Center	11. Signature of Agency Head of Kine-making Coordinator.
Raleigh, NC 27699-1612	MH-D// //
Phone: 919-707-9239	for Bly of
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to
Agency Contact, if any: Jennifer Everett	G.S. 143B-10(a), submit a copy of the delegation with this form.
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinates C
RRC AND OAH USE ONLY	
Action taken:	使品 一
	EQ B II
RRC Extended period of review:	A 1 1
RRC determined substantial changes:	₩ -: (]
Withdrawn by agency	64
Subject to Legislative Review	
T T Office:	

1. Rule-Making Agency: Mining and Energy Commission NOV 2 1 2014	
2. Rule citation & name (name not required for repeal): 1	5A NCAC 05H .1503, Access Road Construction Standards
3. Action: X ADOPTION AMENDMENT REPEAL	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)
X No	□ 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/min	ing-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)	8. Fiscal impact (check all that apply):
	State funds affected
Yes	Environmental permitting of DOT affected and
Agency submitted request for consultation on: Consultation not required. Cite authority:	analysis submitted to Board of Transportation
Consultation not required to the warrange.	<ul> <li>Local funds affected</li> <li>Substantial economic impact (≥\$1,000,000)</li> </ul>
X No	Approved by OSBM
	X No fiscal note required
O DEAC	ON FOR ACTION
9A. What prompted this action? Check all that apply:	ON FOR ACTION
☐ Agency	X Legislation enacted by the General Assembly
Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4
Federal statute / cite:	☐ Petition for rule-making ☐ Other:
Federal regulation / cite:  9B Explain: Session Law 2012-143 directed the MEC to ad	opt rules that would protect public health and safety; protect public and
private property; protect and conserve the State's air, water, a	nd other natural resources; promote economic development and expand
employment opportunities; and provide for the productive and	d 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.	i and gas industry for the purpose of on and gas exploration and
10. Rule-making Coordinator: Robert B. Josey Jr.	11. Signature of Agency Head* or Rule-making Coordinator:
Address: 1612 Mail Service Center	
Raleigh, NC 27699-1612	1 1/5// /
Phone: 919-707-9239 E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to
E-Mail: 100ert.josey@nedein.gov	G.S. 143B-10(a), submit a copy of the delegation with this form
Agency Contact, if any: Jennifer Everett	
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinator;
Action taken:	O OAH USE ONLY
Action taken.	
	S 2 U
RRC Extended period of review:	
RRC determined substantial changes:	
Withdrawn by agency Subject to Legislative Review	
Other:	

1. Rule-Making Agency: Mining and Energy Commission	NOV 2 1 2014	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1504, Pit and Tank Construction Standards		
3. Action: X ADOPTION AMENDMENT REPEAL		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)	
X No	□ 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  Notice not required under G.S.: Adoption by agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact (check all that apply):	
	☐ State funds affected	
Yes	Environmental permitting of DOT affected and	
Agency submitted request for consultation on:  Consultation not required. Cite authority:	analysis submitted to Board of Transportation	
Consultation not required. Cite authority.	Local funds affected	
X No	☐ Substantial economic impact (≥\$1,000,000)	
	Approved by OSBM	
	X No fiscal note required	
9. REASO 9A. What prompted this action? Check all that apply:	ON FOR ACTION	
☐ Agency	X Legislation enacted by the General Assembly	
Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4	
Federal statute / cite:	Petition for rule-making	
Federal regulation / cite:	Other:	
9B. Explain: Session Law 2012-143 directed the MEC to add	opt rules that would protect public health and safety; protect public and nd other natural resources; promote economic development and expand	
omployment opportunities; and provide for the productive and	d 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 produ	action 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.	11. Signature of Agency Head* or Rule-making Coordinator:	
Address: 1612 Mail Service Center		
Raleigh, NC 27699-1612 <b>Phone:</b> 919-707-9239	Ant 15 L	
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to	
L-Main, 10001.3000 (Shodom.go.	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Agency Contact, if any: Jennifer Everett	<b>2</b>	
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.	
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinator	
	O OAH USE ONLY	
Action taken:	· · · · · · · · · · · · · · · · · · ·	
RRC Extended period of review:		
RRC determined substantial changes:	8 = 13 l	
Withdrawn by agency	8	
Subject to Legislative Review		
Other:	I	

1. Rule-Making Agency: Mining and Energy Commission	1101/04 004
	A NCAC 05H 1601 Sethack Distances
2. Rule citation & name (name not required for repeal): 15	M NUME USIT . 1001, School Distances
3. Action: X ADOPTION AMENDMENT REPEAL	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)
<del></del>	No
X 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/min	ing-and-energy-commission/public-comment-meetings
<b>Hearing on:</b> 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)	8. Fiscal impact (check all that apply):
	State funds affected
☐ Yes	Environmental permitting of DOT affected and
Agency submitted request for consultation on:	analysis submitted to Board of Transportation
Consultation not required. Cite authority:	Local funds affected
X No	Substantial economic impact (≥\$1,000,000)
A NO	☐ Approved by OSBM
	X No fiscal note required
9. REAS	ON FOR ACTION
9A. What prompted this action? Check all that apply:	
Agency	X Legislation enacted by the General Assembly
Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4
Federal statute / cite:	Petition for rule-making
Federal regulation / cite:	Other:
9B. Explain: Session Law 2012-143 directed the MEC to add	opt rules that would protect public health and safety; protect public and
private property; protect and conserve the State's air, water, a	nd other natural resources; promote economic development and expand
employment opportunities; and provide for the productive and	d 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 produ	action activities, the MEC is proposing to adopt 124 new rules and to
	and gas industry for the purpose of oil and gas exploration and
development.  10. Rule-making Coordinator: Robert B. Josey Jr.	11. Signature of Agency Head* or Rule-making Coordinator:
Address: 1612 Mail Service Center	
Raleigh, NC 27699-1612	Mrs 6 h //
Phone: 919-707-9239	and the
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to
	G.S. 143B-10(a), submit a copy of the delegation with this form.
Agency Contact, if any: Jennifer Everett	
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.  Title: DEMLR/MEC Rule-making Coordinates
E-Mail: Jennifer.everett@ncdenr.gov	
	O OAH USE ONLY
Action taken:	
	물의 물이 물이 되었다.
RRC Extended period of review:	के <del>-</del> न
RRC determined substantial changes:	
Withdrawn by agency	<b>12:</b>
Subject to Legislative Review	
Other:	

1. Rule-Making Agency: Mining and Energy Commission	NOV 2.1 2014	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1602, Production Facility Safety Setback Distances		
2. Rule citation & name (name not required for repeat): 13A NCAC 03H .1002, Froduction Facility Safety Setoack Distincts		
3. Action:	\	
X ADOPTION AMENDMENT REPEAL		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)	
X No	□ 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/min	ing-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)	8. Fiscal impact (check all that apply):	
	State funds affected	
Yes	Environmental permitting of DOT affected and	
Agency submitted request for consultation on:	analysis submitted to Board of Transportation	
Consultation not required. Cite authority:	Local funds affected	
X No	Substantial economic impact (≥\$1,000,000)	
21 110	Approved by OSBM	
	X No fiscal note required	
9. REAS	ON FOR ACTION	
9A. What prompted this action? Check all that apply:		
☐ Agency	X Legislation enacted by the General Assembly	
Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4	
Federal statute / cite:	Petition for rule-making	
Federal regulation / cite:	Other:	
9B. Explain: Session Law 2012-143 directed the MEC to add	opt rules that would protect public health and safety; protect public and	
private property; protect and conserve the State's air, water, and	nd other natural resources; promote economic development and expand lefficient 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	
notential impacts of modern oil and gas exploration and produ	action 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.	11. Signature of Agency Head* or Rule-making Coordinator:	
Address: 1612 Mail Service Center		
Raleigh, NC 27699-1612	WIX /4 //	
Phone: 919-707-9239	*If this function has been delegated (reassigned) pursuant to	
E-Mail: robert.josey@ncdenr.gov	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Agency Contact, if any: Jennifer Everett	Transd Names Pohert P. Jacon Ir	
Phone: 919-707-8614	I VDEH INAHIC: NODGU D. JUSGV JI. 🐃 💮 🖟	
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinates 🔾 💍	
	O OAH USE ONLY	
Action taken:	市品 - 1	
D PROP ( tolorish for '		
RRC Extended period of review:	8 = Q	
RRC determined substantial changes: Withdrawn by agency	<b>2</b>	
Subject to Legislative Review	•	
Other:		

1. Rule-Making Agency: Mining and Energy Commission	NOV 2 1 2014	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1603, Variance for Setbacks		
3. Action:		
X ADOPTION AMENDMENT REPEAL  4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)	
X No	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/min	ing-and-energy-commission/public-comment-meetings	
Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14	ing and onorgy commission passes commission meanings	
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)	8. Fiscal impact (check all that apply):	
Yes	State funds affected	
Agency submitted request for consultation on:	Environmental permitting of DOT affected and	
Consultation not required. Cite authority:	analysis submitted to Board of Transportation  Local funds affected	
	Substantial economic impact (≥\$1,000,000)	
X No	Approved by OSBM	
	X No fiscal note required	
9. REAS	ON FOR ACTION	
9A. What prompted this action? Check all that apply:		
☐ Agency	X Legislation enacted by the General Assembly	
Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4	
Federal statute / cite: Federal regulation / cite:	☐ Petition for rule-making ☐ Other:	
	opt rules that would protect public health and safety; protect public and	
private property; protect and conserve the State's air, water, a	nd other natural resources; promote economic development and expand	
employment opportunities; and provide for the productive and	I 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 product repeal 10 others rules in order to appropriately regulate the oil	action activities, the MEC is proposing to adopt 124 new rules and to and gas industry for the purpose of oil and gas exploration and	
development.	and gas industry for the purpose of on and gas supremier and	
10. Rule-making Coordinator: Robert B. Josey Jr.	11. Signature of Agency Head* or Rule-making Coordinator:	
Address: 1612 Mail Service Center	M = 0	
Raleigh, NC 27699-1612 Phone: 919-707-9239	Mit 13 L 1	
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to	
12 Hamil Toothingood, Concessingo	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Agency Contact, if any: Jennifer Everett	Parketon Parketon	
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.  Title: DEMLR/MEC Rule-making Coordinator	
E-Mail: Jennifer.everett@ncdenr.gov		
RRC AND OAH USE ONLY		
	ρ <sub>2</sub> = Π	
	2 0	
RRC Extended period of review: RRC determined substantial changes:	·	
Withdrawn by agency		
Subject to Legislative Review		
☐ Other		

1. Rule-Making Agency: Mining and Energy Commission	NOV 2.1 2014
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1604, Prohibited Substances	
3. Action:	
X ADOPTION AMENDMENT REPEAL	5. Rule automatically subject to legislative review?
4. Rule exempt from RRC review?	X Yes, Cite authority: S.L. 2014-4 § 2.(a)
Yes. Cite authority:	No No
X 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/mini	ing_and_energy-commission/nublic-comment-meetings
Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14	mg-and chergy commission paone comments meetings
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)	8. Fiscal impact (check all that apply):
	State funds affected
Yes Agency submitted request for consultation on:	Environmental permitting of DOT affected and
Consultation not required. Cite authority:	analysis submitted to Board of Transportation
Companion not require the constraint	<ul><li>Local funds affected</li><li>Substantial economic impact (≥\$1,000,000)</li></ul>
X No	Approved by OSBM
	X No fiscal note required
O DDI-C	ON FOR ACTION
9A. What prompted this action? Check all that apply:	ON FOR ACTION
	X Legislation enacted by the General Assembly
☐ Agency ☐ Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4
Federal statute / cite:	Petition for rule-making
Federal regulation / cite:	Other:
9B. Explain: Session Law 2012-143 directed the MEC to add	opt rules that would protect public health and safety; protect public and
private property; protect and conserve the State's air, water, a	nd other natural resources; promote economic development and expand lefficient 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
notential impacts of modern oil and gas exploration and produ	ection 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.	11 Classic Coordinators
10. Rule-making Coordinator: Robert B. Josey Jr.	11. Signature of Agency Head* or Rule-making Coordinator:
Address: 1612 Mail Service Center Raleigh, NC 27699-1612	M+ 12// /
Phone: 919-707-9239	hard of the
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to
	G.S. 143B-10(a), submit a copy of the delegation with this form.
Agency Contact, if any: Jennifer Everett	Typed Name: Robert B. Josey Jr.
Phone: 919-707-8614  E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinater
	50
Action taken:	O OAH USE ONLY SO STATE
	<b>まる 2</b>
Connection to the state of the	¥m III
RRC Extended period of review: RRC determined substantial changes:	골유 골 //
Withdrawn by agency	<u> </u>
Subject to Legislative Review	8 = 0
Other	<b>™ini</b> , · .

1. Rule-Making Agency: Mining and Energy Commission	NOV 2 1 2014	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1605, Casing and Equipment Requirements		
3. Action:   X ADOPTION		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)	
X No	□ 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/min	ing-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)	8. Fiscal impact (check all that apply):	
	State funds affected	
Yes	Environmental permitting of DOT affected and	
Agency submitted request for consultation on:  Consultation not required. Cite authority:	analysis submitted to Board of Transportation	
Consultation not required. One duestority.	<ul><li>Local funds affected</li><li>Substantial economic impact (≥\$1,000,000)</li></ul>	
X No	Approved by OSBM	
	X No fiscal note required	
a prac	ON POR ACTION	
9A. What prompted this action? Check all that apply:	ON FOR ACTION	
Agency	X Legislation enacted by the General Assembly	
Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4	
Federal statute / cite:	Petition for rule-making	
Federal regulation / cite:	Other: opt rules that would protect public health and safety; protect public and	
private property: protect and conserve the State's air, water, a	nd other natural resources; promote economic development and expand	
employment opportunities; and provide for the productive and	l 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 produ	action activities, the MEC is proposing to adopt 124 new rules and to	
repeal 10 others rules in order to appropriately regulate the oil development.	and gas industry for the purpose of oil and gas exploration and	
10. Rule-making Coordinator: Robert B. Josey Jr.	11. Signature of Agency Head* or Rule-making Coordinator:	
Address: 1612 Mail Service Center		
Raleigh, NC 27699-1612	MIT 131	
Phone: 919-707-9239	*If this function has been delegated (reassigned) pursuant to	
E-Mail: robert.josey@ncdenr.gov	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Agency Contact, if any: Jennifer Everett	> 2	
Phone: 919-707-8614	1 Typeu Tame, Robert D. Josey Jr.	
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinates O	
RRC AND OAH USE ONLY		
Action taken:	Diff m	
	<u></u> 그 모	
RRC Extended period of review:	් <del>-</del> □	
RRC determined substantial changes:	8 <sub>2</sub> U	
☐ Withdrawn by agency ☐ Subject to Legislative Review	· • • • • • • • • • • • • • • • • • • •	
Other:		

1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 1	5A NCAC 05H .1606, Cementing Standards NOV 2 1 2014
3. Action:  X ADOPTION	
X ADOPTION AMENDMENT REPEAL 4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)
X No	No
6. Notice for Proposed Rule:	
X Notice Required	
Notice of Text published on: 7/15/14	ing and approximation/public comment-meetings
Link to Agency notice: http://portal.ncdenr.org/web/mir Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14	ang-and-energy-commission/paone-comment-meetings
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)	8. Fiscal impact (check all that apply):
	State funds affected
☐ Yes	Environmental permitting of DOT affected and
Agency submitted request for consultation on:	analysis submitted to Board of Transportation
Consultation not required. Cite authority:	Local funds affected
W Ma	☐ Substantial economic impact (≥\$1,000,000)
X No	Approved by OSBM
,	X No fiscal note required
9. REAS	ON FOR ACTION
9A. What prompted this action? Check all that apply:	
Agency	X Legislation enacted by the General Assembly
Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4
Federal statute / cite:	Petition for rule-making
Federal regulation / cite:	Other: lopt rules that would protect public health and safety; protect public and
9B. Explain: Session Law 2012-143 directed the MBC to ad-	and other natural resources; promote economic development and expand
employment opportunities; and provide for the productive an	d 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 prod	uction activities, the MEC is proposing to adopt 124 new rules and to
	il and gas industry for the purpose of oil and gas exploration and
development.	
	A4 Ct. A C4 YY 16 . Duly making Coordinators
10. Rule-making Coordinator: Robert B. Josey Jr.	11. Signature of Agency Head* or Rule-making Coordinator:
Address: 1612 Mail Service Center	11. Signature of Agency Head* or Rule-making Coordinator:
Address: 1612 Mail Service Center Raleigh, NC 27699-1612	11. Signature of Agency Head* or Rule-making Coordinator:
Address: 1612 Mail Service Center	*If this function has been delegated (reassigned) pursuant to
Address: 1612 Mail Service Center Raleigh, NC 27699-1612  Phone: 919-707-9239  E-Mail: robert.josey@ncdenr.gov	the Band.
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	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.
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	*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.
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	*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 Coordinato
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  RRC AN	*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 Coordinate
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	*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 Coordinato
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  RRC AN	*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 Coordinate
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  RRC AN  Action taken:	*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 Coordinate  D OAH USE ONLY
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  RRC AN  Action taken:  RRC Extended period of review: RRC determined substantial changes:	*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 Coordinato
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  RRC AN  Action taken:	*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 Coordinate  D OAH USE ONLY

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 AMENDMENT REPEAL		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)	
X No	□ 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  Notice not required under G.S.: Adoption by agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact (check all that apply):	
☐ Yes Agency submitted request for consultation on: Consultation not required. Cite authority:  X No	<ul> <li>State funds affected</li> <li>Environmental permitting of DOT affected and analysis submitted to Board of Transportation</li> <li>Local funds affected</li> <li>Substantial economic impact (≥\$1,000,000)</li> <li>Approved by OSBM</li> <li>X No fiscal note required</li> </ul>	
	ON FOR ACTION	
private property; protect and conserve the State's air, water, are employment opportunities; and provide for the productive and reviewing the current regulations of the State, the mandate in potential impacts of modern oil and gas exploration and productive repeal 10 others rules in order to appropriately regulate the oil development.	X Legislation enacted by the General Assembly Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4 Petition for rule-making Other: Opt rules that would protect public health and safety; protect public and other natural resources; promote economic development and expand efficient development of the State's oil and gas resources. After SL 2012-143, and information from studies about the operation and ction activities, the MEC is proposing to adopt 124 new rules and to and gas industry for the purpose of oil and gas exploration and	
10. Rule-making Coordinator: Robert B. Josey Jr. Address: 1612 Mail Service Center	11. Signature of Agency Head* or Rule-making Coordinator:	
Raleigh, NC 27699-1612	1/4 () /	
Phone: 919-707-9239	Who Dan h	
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.	
Agency Contact, if any: Jennifer Everett		
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.	
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinator	
Action taken:	OAH USE ONLY  SO ST TO SO ST TO SO	
RRC Extended period of review:	≦o a Hi	
RRC determined substantial changes:		
Withdrawn by agency	#5 2 T	
Subject to Legislative Review Other:	AC - II	
	ZT ZT	

SCDMISSION TO	NOV 2 1 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: X ADOPTION AMENDMENT REPEAL		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
☐ Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)	
X No	□ 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  Notice not required under G.S.: Adoption by agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact (check all that apply):	
Yes Agency submitted request for consultation on: Consultation not required. Cite authority:	☐ State funds affected ☐ Environmental permitting of DOT affected and analysis submitted to Board of Transportation ☐ Local funds affected	
X No	☐ Substantial economic impact (≥\$1,000,000) ☐ Approved by OSBM X No fiscal note required	
	ON FOR ACTION	
9A. What prompted this action? Check all that apply:	X Legislation enacted by the General Assembly	
Agency Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4	
Federal statute / cite:	Petition for rule-making	
Federal regulation / cite:	Other:	
9B. Explain: Session Law 2012-143 directed the MEC to add	opt 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.	and gas moustry for the purpose of our and gas exploration and	
10. Rule-making Coordinator: Robert B. Josey Jr.	11. Signature of Agency Head* or Rule-making Coordinator:	
Address: 1612 Mail Service Center		
Raleigh, NC 27699-1612	11.5/	
Phone: 919-707-9239	The state of the s	
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.	
Agency Contact, if any: Jennifer Everett	Gio, Tiob To(u), submit a copy of the actinguism mine co-	
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.	
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinator	
RRC AND OAH USE ONLY		
Action taken:		
	<b>三</b>	
RRC Extended period of review:	<b>弄</b> 亞 <sup>2</sup> Ⅰ Ⅰ	
RRC determined substantial changes:		
Withdrawn by agency	무유 꼭 !!!	
Subject to Legislative Review		
Other:	S O ()	

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: X ADOPTION		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)	
X No	□ 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  Notice not required under G.S.: Adoption by agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact (check all that apply):	
	State funds affected	
☐ Yes	Environmental permitting of DOT affected and	
Agency submitted request for consultation on:	analysis submitted to Board of Transportation	
Consultation not required. Cite authority:	Local funds affected	
	Substantial economic impact (≥\$1,000,000)	
X No	Approved by OSBM	
	X No fiscal note required	
	12 110 Mour now requires	
9. REAS	ON FOR ACTION	
9A. What prompted this action? Check all that apply:		
Agency	X Legislation enacted by the General Assembly	
Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4	
Federal statute / cite:	Petition for rule-making	
Federal regulation / cite:	Other:	
	opt rules that would protect public health and safety; protect public and	
	nd other natural resources; promote economic development and expand	
	efficient development of the State's oil and gas resources. After	
	SL 2012-143, and information from studies about the operation and	
	ction activities, the MEC is proposing to adopt 124 new rules and to	
	and gas industry for the purpose of oil and gas exploration and	
development.	and gas industry for the purpose of on and gas exploration and	
10. Rule-making Coordinator: Robert B. Josey Jr.	11. Signature of Agency Head* or Rule-making Coordinator:	
Address: 1612 Mail Service Center	11. Signature syrigency rical of Rate making coordinator.	
Raleigh, NC 27699-1612		
Phone: 919-707-9239	Mot 1912 h	
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to	
E-Man. Tootiljosey@nedeni.gov	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Agency Contact, if any: Jennifer Everett	O.D. 145D-10(a), Submit a copy of the delegation with this form	
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.	
E-Mail: Jennifer.everett@ncdenr.gov	Typed Name: Robert B. Josey Jr.  Title: DEMLR/MEC Rule-making Coordinator	
	O OAH USE ONLY	
Action taken:	O OAH USE ONLY	
netion taken.		
	マガー !	
RRC Extended period of review:	PR 3 17	
RRC determined substantial changes:	≥ 元 3 111	
Withdrawn by agency		
Subject to Legislative Review	95	
Other:	V,	

1. Rule-Making Agency: Mining and Energy Commission	NUV 2 1 2014
	5A NCAC 05H .1610, Well Installation for Intermediate Casing
2. Rule citation & name (name not required for repeat).	A IVAC 0311.1010, Well installation for intermediate casing
3. Action:	
X ADOPTION AMENDMENT REPEAL	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)
X No	□ 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/min	ing-and-energy-commission/public-comment-meetings
Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14	1
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)	8. Fiscal impact (check all that apply):
	☐ State funds affected
Yes	Environmental permitting of DOT affected and
Agency submitted request for consultation on:	analysis submitted to Board of Transportation
Consultation not required. Cite authority:	Local funds affected
X No	☐ Substantial economic impact (≥\$1,000,000)
	Approved by OSBM
	X No fiscal note required
9. REAS	ON FOR ACTION
9A. What prompted this action? Check all that apply:	
Agency	X Legislation enacted by the General Assembly
Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4
Federal statute / cite:	Petition for rule-making
Federal regulation / cite:	Other:
9B. Explain: Session Law 2012-145 directed the MEC to add	opt rules that would protect public health and safety; protect public and nd other natural resources; promote economic development and expand
employment opportunities; and provide for the productive and	d 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 produ	action 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.	11. Signature of Agency Head* or Rule-making Coordinator:
Address: 1612 Mail Service Center	
Raleigh, NC 27699-1612 <b>Phone:</b> 919-707-9239	What B L
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to
E-Man. 100011.josey@nedelli.gov	G.S. 143B-10(a), submit a copy of the delegation with this form.
Agency Contact, if any: Jennifer Everett	
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinates
	O OAH USE ONLY
Action taken:	Piri m
RRC Extended period of review:	
RRC determined substantial changes:	
Withdrawn by agency	, . <del>'</del>
Subject to Legislative Review	
Other	·

1. Rule-Making Agency: Mining and Energy Commission	NUV 2 1 2014	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1611, Well Installation for Production Casing		
2. Rule citation & name (name not required for repeat).	A NOTIC USIT: TUTT, Well installment for From Services Cusing	
3. Action:		
X ADOPTION AMENDMENT REPEAL		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)	
X No	□ 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/min	ing-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)	8. Fiscal impact (check all that apply):	
7. Ruic establishes of file cases a fee: (See G.S. 12-3.1)		
Yes	State funds affected Environmental permitting of DOT affected and	
Agency submitted request for consultation on:	analysis submitted to Board of Transportation	
Consultation not required. Cite authority:	Local funds affected	
W M	Substantial economic impact (≥\$1,000,000)	
X No	Approved by OSBM	
	X No fiscal note required	
9. REAS	ON FOR ACTION	
9A. What prompted this action? Check all that apply:		
☐ Agency	X Legislation enacted by the General Assembly	
Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4	
Federal statute / cite:	Petition for rule-making	
Federal regulation / cite:	Other:	
9B. Explain: Session Law 2012-143 directed the MEC to add	opt rules that would protect public health and safety; protect public and other natural resources; promote economic development and expand	
employment opportunities; and provide for the productive and	l 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 produ	ection 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.	11. Signature of Agency Head* or Rule-making Coordinator:	
Address: 1612 Mail Service Center	May 1	
Raleigh, NC 27699-1612 <b>Phone:</b> 919-707-9239	21 12 1- 1	
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to	
1 man 1000 moon go	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Agency Contact, if any: Jennifer Everett		
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.	
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinator	
	O OAH USE ONLY	
Action taken:		
RRC Extended period of review:	青夏 2 「	
RRC determined substantial changes:		
Withdrawn by agency		
Subject to Legislative Review	8 = 7	
Other:		

1. Rule-Making Agency: Mining and Energy Commission NOV 2 1 201	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1612, Well Installation Variance	
3. Action: X ADOPTION AMENDMENT REPEAL	
X ADOPTION AMENDMENT REPEAL 4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)
X No	No
100	
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/min	ing and energy-commission/nublic-comment-meetings
Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14	mg-and-energy-commission/public-comment-movemgs
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)	8. Fiscal impact (check all that apply):
	State funds affected
Yes Agency submitted request for consultation on:	Environmental permitting of DOT affected and
Consultation not required. Cite authority:	analysis submitted to Board of Transportation
	<ul><li>Local funds affected</li><li>Substantial economic impact (≥\$1,000,000)</li></ul>
X No	Approved by OSBM
	X No fiscal note required
O DELC	
9A. What prompted this action? Check all that apply:	ON FOR ACTION
Agency	X Legislation enacted by the General Assembly
Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4
Federal statute / cite:	Petition for rule-making
Federal regulation / cite:	Other:
9B. Explain: Session Law 2012-143 directed the MEC to add	opt rules that would protect public health and safety; protect public and
employment opportunities; and provide for the productive and	nd other natural resources; promote economic development and expand lefficient 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.	11 C' Head't an Dule making Coordinatory
10. Rule-making Coordinator: Robert B. Josey Jr. Address: 1612 Mail Service Center	11. Signature of Agency Head* or Rule-making Coordinator:
Raleigh, NC 27699-1612	
Phone: 919-707-9239	Melw of his h
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to
C ( ( ) C T ( ) C T ( ) ( )	G.S. 143B-10(a), submit a copy of the delegation with this form.
Agency Contact, if any: Jennifer Everett Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.
E-Mail: Jennifer.everett@ncdenr.gov	
E-Mail: Jennifer.everett@ncdenr.gov Title: DEMLR/MEC Rule-making Coordinato	
Action taken:	45 5
DBC Extended period of review	<b>三</b>
RRC Extended period of review: RRC determined substantial changes:	
Withdrawn by agency	8 U
Subject to Legislative Review	<b>.</b> ,
Other:	

1. Rule-Making Agency: Mining and Energy Commission NOV 2 1 2014	
2. Rule citation & name (name not required for repeal): 15	5A NCAC 05H .1613, Well Stimulation Requirements
3. Action:	
X ADOPTION AMENDMENT REPEAL	5. Rule automatically subject to legislative review?
4. Rule exempt from RRC review?  Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)
X No	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/min	ing and anaray commission/public-comment-meetings
Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14	mig-and-energy-commission phone-comment-meetings
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)	8. Fiscal impact (check all that apply):
	☐ State funds affected
Agency submitted request for consultation on:	☐ Environmental permitting of DOT affected and
Consultation not required. Cite authority:	analysis submitted to Board of Transportation
	<ul><li>Local funds affected</li><li>Substantial economic impact (≥\$1,000,000)</li></ul>
X No	Approved by OSBM
	X No fiscal note required
O DEAS	ON FOR ACTION
9A. What prompted this action? Check all that apply:	ON FOR ACTION
☐ Agency	X Legislation enacted by the General Assembly
Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4
Federal statute / cite:	Petition for rule-making
Federal regulation / cite:	Other: opt rules that would protect public health and safety; protect public and
private property: protect and conserve the State's air, water, a	and other natural resources; promote economic development and expand
employment opportunities; and provide for the productive and	d 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	
repeal 10 others rules in order to appropriately regulate the of development.	I and gas industry for the purpose of our and gas exploration and
10. Rule-making Coordinator: Robert B. Josey Jr.	11. Signature of Agency Head* or Rule-making Coordinator:
Address: 1612 Mail Service Center	
Raleigh, NC 27699-1612	Mx/B//
Phone: 919-707-9239	*If this function has been delegated (reassigned) pursuant to
E-Mail: robert.josey@ncdenr.gov	G.S. 143B-10(a), submit a copy of the delegation with this form.
Agency Contact, if any: Jennifer Everett	Typed Name: Robert B. Josey Jr
Phone: 919-707-8614	
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinator O
RRC AND OAH USE ONLY	
Action taken:	
RRC Extended period of review:	8" <del>-</del> 1
RRC determined substantial changes:	S G U
Withdrawn by agency	<b>V</b>
Subject to Legislative Review	

1. Rule-Making Agency: Mining and Energy Commission	NOV 2 1 2014	
2. Rule citation & name (name not required for repeal): 15	A NCAC 05H .1614, Wellhead Requirements	
3. Action:		
X ADOPTION AMENDMENT REPEAL	5. Rule automatically subject to legislative review?	
4. Rule exempt from RRC review?	X Yes. Cite authority; S.L. 2014-4 § 2.(a)	
Yes. Cite authority:	No No	
X 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  Notice not required under G.S.: Adoption by agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact (check all that apply):	
Yes Agency submitted request for consultation on: Consultation not required. Cite authority: X No	<ul> <li>State funds affected</li> <li>Environmental permitting of DOT affected and analysis submitted to Board of Transportation</li> <li>Local funds affected</li> <li>Substantial economic impact (≥\$1,000,000)</li> <li>Approved by OSBM</li> <li>X No fiscal note required</li> </ul>	
9. REASO	ON FOR ACTION	
9A. What prompted this action? Check all that apply:		
Agency Court order / cite: Federal statute / cite: Federal regulation / cite:  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.	and gas industry for the purpose of on and gas exploration and	
10. Rule-making Coordinator: Robert B. Josey Jr.	11. Signature of Agency Head* or Rule-making Coordinator:	
Address: 1612 Mail Service Center Raleigh, NC 27699-1612 Phone: 919-707-9239 E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to	
E-Man. 1000rt.josey@nedem.gov	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Agency Contact, if any: Jennifer Everett		
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.	
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinator OAH USE ONLY	
Action taken:  RRC Extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:	DMIN HEARING	
LI Chitat,		

#### SUBMISSION FOR PERMANENT RULE

NOV 21 2014

1. Rule-Making Agency: Mining and Energy Commission	1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 1:	5A NCAC 05H .1615, Well Site Maintenance and Security	
3. Action: X ADOPTION AMENDMENT REPEAL		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)	
X No	□ 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  Notice not required under G.S.: Adoption by agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact (check all that apply):	
Yes	☐ State funds affected	
Agency submitted request for consultation on:	Environmental permitting of DOT affected and	
Consultation not required. Cite authority:	analysis submitted to Board of Transportation	
	Local funds affected	
X No	Substantial economic impact (≥\$1,000,000)	
	☐ Approved by OSBM  X No fiscal note required	
	A 110 listar note required	
9. REASO 9A. What prompted this action? Check all that apply:	ON FOR ACTION	
Agency	X Legislation enacted by the General Assembly	
Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4	
<ul><li>☐ Federal statute / cite:</li><li>☐ Federal regulation / cite:</li></ul>	Petition for rule-making Other:	
	opt rules that would protect public health and safety; protect public and	
private property; protect and conserve the State's air, water, ar	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 S	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.	11. Signature of Agency Head* or Rule-making Coordinator:	
Address: 1612 Mail Service Center	11. Signature of Agency fread of Rule-making Coordinator:	
Raleigh, NC 27699-1612	At Q	
Phone: 919-707-9239	- Ret Of h	
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to	
Aganay Contact if anyy Jamifor Evanett	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Agency Contact, if any: Jennifer Everett Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.	
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinate	
DDC AND CATTICE ONLY		
Action taken:	TOAH USE ONLY SO S I	
	FG 2	
DDC Extended period of recious	Sin -	
RRC Extended period of review:  RRC determined substantial changes:	무유 모 ///	
Withdrawn by agency		
Subject to Legislative Review	S S U	
Other:	G V	

1. Rule-Making Agency: Mining and Energy Commission NOV 2 1 2014	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1616, Well-Control and Blowout Prevention	
3. Action:   X ADOPTION	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)
X No	□ No
6. Notice for Proposed Rule:	
X Notice Required	
Notice of Text published on: 7/15/14	in a and anaray commission/nublic comment-meetings
Link to Agency notice: http://portal.ncdenr.org/web/min Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14	ing-and-energy-commission/puone-comment-meetings
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)	8. Fiscal impact (check all that apply):
Yes	State funds affected
Agency submitted request for consultation on:	Environmental permitting of DOT affected and analysis submitted to Board of Transportation
Consultation not required. Cite authority:	Local funds affected
X No	Substantial economic impact (≥\$1,000,000)
A 140	Approved by OSBM
	X No fiscal note required
	ON FOR ACTION
9A. What prompted this action? Check all that apply:	
Agency Court order / cite:	X Legislation enacted by the General Assembly Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4
Federal statute / cite:	Petition for rule-making
Federal regulation / cite:	Other:
9B. Explain: Session Law 2012-143 directed the MEC to add	opt rules that would protect public health and safety; protect public and
private property; protect and conserve the State's air, water, a	nd other natural resources; promote economic development and expand defficient 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.	11. Signature of Agency Head* or Rule-making Coordinator:
Address: 1612 Mail Service Center	
Raleigh, NC 27699-1612	Must 15 /
Phone: 919-707-9239  E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to
E-Man: robert.josey@ncdent.gov	G.S. 143B-10(a), submit a copy of the delegation with this form.
Agency Contact, if any: Jennifer Everett	
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinates
Action taken:  RRC AND OAH USE ONLY  Property Description  RRC AND OAH USE ONLY	
ARVINIA WARVINI	三三三三三三三三三三三三三三三三三三三三三三三三三三三三三三三三三三三三三三
	新京 <sup>2</sup>
RRC Extended period of review:	
RRC determined substantial changes:  Withdrawn by agency	
Subject to Legislative Review	
Other:	95

	NOV 2 1 2014
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: X ADOPTION AMENDMENT REPEAL	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)
X No	□ 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  Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact (check all that apply):
Yes Agency submitted request for consultation on:	☐ State funds affected ☐ Environmental permitting of DOT affected and
Consultation not required. Cite authority:	analysis submitted to Board of Transportation
Constitution not required.	Local funds affected
X No	Substantial economic impact (≥\$1,000,000)  Approved by OSBM
	X No fiscal note required
o DDI G	
9. REASO 9A. What prompted this action? Check all that apply:	ON FOR ACTION
☐ Agency	X Legislation enacted by the General Assembly
Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4
Federal statute / cite:	Petition for rule-making
Federal regulation / cite:	Other:
	opt rules that would protect public health and safety; protect public and
	nd other natural resources; promote economic development and expand 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	
	and gas industry for the purpose of oil and gas exploration and
development.	
10. Rule-making Coordinator: Robert B. Josey Jr.	11. Signature of Agency Head* or Rule-making Coordinator:
Address: 1612 Mail Service Center	
Raleigh, NC 27699-1612 <b>Phone:</b> 919-707-9239	Ret 13 1 - 1
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to
33	G.S. 143B-10(a), submit a copy of the delegation with this form.
Agency Contact, if any: Jennifer Everett	- · · · · · · · · · · · · · · · · · · ·
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinates
Action taken:	
	工
RRC Extended period of review:	>17
RRC determined substantial changes:	
Withdrawn by agency	<u>هُ</u> -
Subject to Legislative Review	8 5

1. Rule-Making Agency: Mining and Energy Commission		
·	5A NCAC 05H .1618, Requirements for Permanent Closure of Oil or	
Gas Wells		
3. Action:   X ADOPTION		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes, Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)	
X No	□ No	
6. Notice for Proposed Rule:	AV.	
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  Notice not required under G.S.: Adoption by agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact (check all that apply):	
Yes Agency submitted request for consultation on: Consultation not required. Cite authority:	<ul> <li>☐ State funds affected</li> <li>☐ Environmental permitting of DOT affected and analysis submitted to Board of Transportation</li> <li>☐ Local funds affected</li> <li>☐ Substantial economic impact (≥\$1,000,000)</li> </ul>	
X No	Approved by OSBM	
	X No fiscal note required	
9. REASON 9A. What prompted this action? Check all that apply:	ON FOR ACTION	
Agency  Court order / cite:  Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4  Federal statute / cite:  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.	11. Signature of Agency Head* or Rule-making Coordinator:	
Address: 1612 Mail Service Center Raleigh, NC 27699-1612 Phone: 919-707-9239	pht B/	
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation, with this form.	
Agency Contact, if any: Jennifer Everett	The state of the s	
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.  Title: DEMLR/MEC Rule-making Coordinator	
E-Mail: Jennifer.everett@ncdenr.gov  RRC ANI	O OAH USE ONLY	
Action taken:		
RRC Extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

ORIGINAL NOV 9 1 20%

1. Rule-Making Agency: Mining and Energy Commission	114 6 1 2011
2. Puls citation & name (name not required for reneal): 15	A NCAC 05H .1619, Notification and Reporting Requirements for
Permanent Closure of Oil or Gas Wells	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
3. Action:	
X ADOPTION  AMENDMENT  REPEAL	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)
X No	□ 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/min	ing-and-energy-commission/public-comment-meetings
<b>Hearing on:</b> 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)	8. Fiscal impact (check all that apply):
Yes	State funds affected
Agency submitted request for consultation on:	Environmental permitting of DOT affected and
Consultation not required. Cite authority:	analysis submitted to Board of Transportation
•	Local funds affected Substantial economic impact (≥\$1,000,000)
X No	Approved by OSBM
	X No fiscal note required
	ON FOR ACTION
9A. What prompted this action? Check all that apply:	Y Y A then are at all by the Conoral Assembly
Agency	X Legislation enacted by the General Assembly Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4
Court order / cite:	Petition for rule-making
Federal statute / cite: Federal regulation / cite:	Other:
9B Explain: Session Law 2012-143 directed the MEC to add	opt rules that would protect public health and safety; protect public and
private property: protect and conserve the State's air, water, a	nd other natural resources; promote economic development and expand
employment opportunities; and provide for the productive and	l 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 produ	action 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.	11. Signature of Agency Head* or Rule-making Coordinator:
10. Rule-making Coordinator: Robert B. Josey Jr.	11. Signature of Agency read of Rule-making Cooldmator:
Address: 1612 Mail Service Center Raleigh, NC 27699-1612	M = M + M = M
Phone: 919-707-9239	Ku BL L
E-Mail: robert.josey@ncdenr.gov	*If this function has been delogated (reassigned) pursuant to
	G.S. 143B-10(a), submit a copy of the delegation with this form.
Agency Contact, if any: Jennifer Everett	
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinator
RRC AND OAH USE ONLY	
Action taken:	ADMINITED TO THE PROPERTY OF T
	¥, <b>‡</b> ∥
RRC Extended period of review:	27 2
RRC determined substantial changes:	The second secon
Withdrawn by agency	西州 一上
Subject to Legislative Review	<b>2</b> € <b>3</b> 1
Other:	
•	$\mathfrak{Q}$ $\pi$

## ORIGINAL NOV 21 2014

1. Rule-Making Agency: Mining and Energy Commission		
2. Rule citation & name (name not required for repeal): 15	5A NCAC 05H .1620, requirements for Shutting-in Oil or Gas Wells	
3. Action: X ADOPTION AMENDMENT REPEAL		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)	
X No	□ 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  Notice not required under G.S.: Adoption by agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact (check all that apply):	
☐ Yes Agency submitted request for consultation on: Consultation not required. Cite authority:  X No	<ul> <li>State funds affected</li> <li>Environmental permitting of DOT affected and analysis submitted to Board of Transportation</li> <li>Local funds affected</li> <li>Substantial economic impact (≥\$1,000,000)</li> <li>Approved by OSBM</li> <li>X No fiscal note required</li> </ul>	
9 REAS	ON FOR ACTION	
9A. What prompted this action? Check all that apply:  Agency Court order / cite: Federal statute / cite: Federal regulation / cite:  BE 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.	11. Signature of Agency Head* or Rule-making Coordinator:	
Address: 1612 Mail Service Center	$\mathcal{N}$ ( ) / /	
Raleigh, NC 27699-1612	14x 13 / _ /	
Phone: 919-707-9239	to the first the state of the s	
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.	
Agency Contact, if any: Jennifer Everett	G.S. 14515-10(a), submit a copy of the delegation with this for including	
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.	
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinator	
<del></del>	O OAH USE ONLY	
Action token		
RRC Extended period of review: RRC determined substantial changes: Withdrawn by agency	Alves	
Subject to Legislative Review Other:		



NOV 2 1 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: X ADOPTION AMENDMENT REPEAL		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)	
X No	□ 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  Notice not required under G.S.: Adoption by agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact (check all that apply):	
Yes Agency submitted request for consultation on: Consultation not required. Cite authority:  X No	<ul> <li>State funds affected</li> <li>Environmental permitting of DOT affected and analysis submitted to Board of Transportation</li> <li>Local funds affected</li> <li>Substantial economic impact (≥\$1,000,000)</li> <li>Approved by OSBM</li> <li>X No fiscal note required</li> </ul>	
O DEAS	ON FOR ACTION	
9A. What prompted this action? Check all that apply:	ON TOR NETTON	
Agency  Court order / cite:  Federal statute / cite:  Federal regulation / cite:  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.	11. Signature of Agency Head* or Rule-making Coordinator:	
Address: 1612 Mail Service Center		
Raleigh, NC 27699-1612 <b>Phone:</b> 919-707-9239	13/-	
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.	
Agency Contact, if any: Jennifer Everett	A B T	
Phone: 919-707-8614	I Tymod Namai Pohart B. Locay Ir	
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinate C	
RRC AND OAH USE ONLY		
Action taken:  RRC Extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review	EAHNOS	
Other:		

1. Rule-Making Agency: Mining and Energy Commission	NOV 2 1 2014
2. Rule citation & name (name not required for repeal): 1:	5A NCAC 05H .1623, Well Drilling Report
2. Kule titation & name (name not required for repeat). 13A NOAC 0311.1023, wen brining Report	
3. Action:	
X ADOPTION AMENDMENT REPEAL	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)
X No	□ 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/min	ing-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)	8. Fiscal impact (check all that apply):
	☐ State funds affected
Yes	Environmental permitting of DOT affected and
Agency submitted request for consultation on: Consultation not required. Cite authority:	analysis submitted to Board of Transportation
Consultation not required. The authority.	Local funds affected
X No	Substantial economic impact (≥\$1,000,000)
	Approved by OSBM  X No fiscal note required
	A No fiscal flote required
	ON FOR ACTION
9A. What prompted this action? Check all that apply:	
☐ Agency ☐ Court order / cite:	X Legislation enacted by the General Assembly Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4
Federal statute / cite:	Petition for rule-making
Federal regulation / cite:	Other:
9B. Explain: Session Law 2012-143 directed the MEC to ad-	opt rules that would protect public health and safety; protect public and
	nd other natural resources; promote economic development and expand
	I efficient development of the State's oil and gas resources. After
	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.	3 J J J J J J J J J J J J J J J J
10. Rule-making Coordinator: Robert B. Josey Jr.	11. Signature of Agency Head* or Rule-making Coordinator:
Address: 1612 Mail Service Center	
Raleigh, NC 27699-1612 <b>Phone:</b> 919-707-9239	MT 113 / 1
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to
E-Man. 100011,000 (@Modellingov	G.S. 143B-10(a), submit a copy of the delegation with this form.
Agency Contact, if any: Jennifer Everett	G G T
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr. Some Title: DEMLR/MEC Rule-making Coordinated 11
E-Mail: Jennifer.everett@ncdenr.gov	
RRC AND OAH USE ONLY → >	
Action taken:	
RRC Extended period of review:	GS = []
RRC determined substantial changes:	S 06
Withdrawn by agency	·
Subject to Legislative Review	

#### SUBMISSION FOR PERMANENT RULE

NOV 2 1 2014

1. Rule-Making Agency: Mining and Energy Commission		
2. Rule citation & name (name not required for repeal): 15	A NCAC 05H .1624, Well Stimulation Report	
3. Action:		
X ADOPTION AMENDMENT REPEAL		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)	
X No	□ 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  Notice not required under G.S.: Adoption by agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact (check all that apply):	
Yes Agency submitted request for consultation on: Consultation not required. Cite authority: X No	<ul> <li>State funds affected</li> <li>Environmental permitting of DOT affected and analysis submitted to Board of Transportation</li> <li>Local funds affected</li> <li>Substantial economic impact (≥\$1,000,000)</li> <li>Approved by OSBM</li> <li>X No fiscal note required</li> </ul>	
0 DEAS		
9A. What prompted this action? Check all that apply:    Agency   X Legislation enacted by the General Assembly     Court order / cite:   Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4     Federal statute / cite:   Petition for rule-making     Federal regulation / cite:   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.	11. Signature of Agency Head* or Rule-making Coordinator:	
Address: 1612 Mail Service Center	M + D / M	
Raleigh, NC 27699-1612 Phone: 919-707-9239	There Bland	
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.	
Agency Contact, if any: Jennifer Everett		
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.	
E-Mail: Jennifer.everett@ncdenr.gov	Title. Blandid Hall Marking Cool and Marking	
RRC AND OAH USE ONLY		
Action taken:  RRC Extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:	PM 1: 06	

NOV 2 1 2014

1. Rule-Making Agency: Mining and Energy Commission		
2. Rule citation & name (name not required for repeal): 15	5A NCAC 05H .1701, Chemical Disclosure Requirements	
3. Action: X ADOPTION AMENDMENT REPEAL		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)	
X No	□ 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  Notice not required under G.S.: Adoption by agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact (check all that apply):	
Yes	State funds affected	
Agency submitted request for consultation on:	Environmental permitting of DOT affected and	
Consultation not required. Cite authority:	analysis submitted to Board of Transportation	
• • • • • • • • • • • • • • • • • • •	Local funds affected	
X No	Substantial economic impact (≥\$1,000,000)	
	Approved by OSBM	
	X No fiscal note required	
9. REASO 9A. What prompted this action? Check all that apply:	ON FOR ACTION	
☐ Agency	X Legislation enacted by the General Assembly	
Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4	
Federal statute / cite:	Petition for rule-making	
Federal regulation / cite:	Other:	
9B. Explain: Session Law 2012-143 directed the MEC to add	opt rules that would protect public health and safety; protect public and	
	nd other natural resources; promote economic development and expand	
	efficient development of the State's oil and gas resources. After	
	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		
	and gas industry for the purpose of oil and gas exploration and	
development.		
10. Rule-making Coordinator: Robert B. Josey Jr.	11. Signature of Agency Head* or Rule-making Coordinator:	
Address: 1612 Mail Service Center		
Raleigh, NC 27699-1612 <b>Phone:</b> 919-707-9239	DIX 1/3/	
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to	
E-Man. Tobolt.josey@nedein.gov	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Agency Contact, if any: Jennifer Everett	o.o. 1100 10(a), submit a copy of the adlegation with this form	
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.	
E-Mail: Jennifer.everett@ncdenr.gov	Typed Name: Robert B. Josey Jr.  Title: DEMLR/MEC Rule-making Coordinator	
	O OAH USE ONLY	
Action taken:	71 <	
_	The state of the s	
RRC Extended period of review:	立O B H	
RRC determined substantial changes:	Name of the last o	
Withdrawn by agency	ARINGS : 0	
Subject to Legislative Review	3	
Other:		



1. Rule-Making Agency: Mining and Energy Commission		
2. Rule citation & name (name not required for repeal): 15	5A NCAC 05H .1702, Required Disclosures	
3. Action:		
X ADOPTION AMENDMENT REPEAL		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)	
X No	□ 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  Notice not required under G.S.: Adoption by agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact (check all that apply):	
	State funds affected	
Yes	Environmental permitting of DOT affected and	
Agency submitted request for consultation on:  Consultation not required. Cite authority:	analysis submitted to Board of Transportation	
Consultation not required. Cite authority.	Local funds affected	
X No	Substantial economic impact (≥\$1,000,000)  Approved by OSBM	
	X No fiscal note required	
	<u> </u>	
	ON FOR ACTION	
9A. What prompted this action? Check all that apply:	V. I amintation amounted by the Company Accomply	
☐ Agency ☐ Court order / cite:	X Legislation enacted by the General Assembly Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4	
Federal statute / cite:	Petition for rule-making	
Federal regulation / cite:	Other:	
9B. Explain: Session Law 2012-143 directed the MEC to add	opt rules that would protect public health and safety; protect public and	
private property; protect and conserve the State's air, water, a	nd other natural resources; promote economic development and expand	
	l efficient development of the State's oil and gas resources. After	
	SL 2012-143, and information from studies about the operation and	
	action activities, the MEC is proposing to adopt 124 new rules and to	
1 1 1 7 9	and gas industry for the purpose of oil and gas exploration and	
development.  10. Rule-making Coordinator: Robert B. Josey Jr.	11. Signature of Agency Head* or Rule-making Coordinator:	
Address: 1612 Mail Service Center	11. Signature of Agency fication of Rule-making coordinator.	
Raleigh, NC 27699-1612		
Phone: 919-707-9239	Jem Of f	
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.	
Agency Contact, if any: Jennifer Everett		
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.	
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinator	
RRC AND OAH USE ONLY Action taken:		
Action taken:		
RRC Extended period of review:		
RRC determined substantial changes:	The second secon	
Withdrawn by agency		
Subject to Legislative Review		
Other:	— ö ;	

ORIGINAL NOV 2 1 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: X ADOPTION AMENDMENT REPEAL	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)
X No	□ 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  Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact (check all that apply):
☐ Yes Agency submitted request for consultation on: Consultation not required. Cite authority:  X No	<ul> <li>State funds affected</li> <li>Environmental permitting of DOT affected and analysis submitted to Board of Transportation</li> <li>Local funds affected</li> <li>Substantial economic impact (≥\$1,000,000)</li> <li>Approved by OSBM</li> <li>X No fiscal note required</li> </ul>
9. REAS	ON FOR ACTION
private property; protect and conserve the State's air, water, a employment opportunities; and provide for the productive and reviewing the current regulations of the State, the mandate in potential impacts of modern oil and gas exploration and produce repeal 10 others rules in order to appropriately regulate the oil development.	X Legislation enacted by the General Assembly Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4 Petition for rule-making Other: Opt rules that would protect public health and safety; protect public and other natural resources; promote economic development and expand efficient development of the State's oil and gas resources. After SL 2012-143, and information from studies about the operation and action activities, the MEC is proposing to adopt 124 new rules and to and gas industry for the purpose of oil and gas exploration and
10. Rule-making Coordinator: Robert B. Josey Jr.	11. Signature of Agency Head* or Rule-making Coordinator:
Address: 1612 Mail Service Center Raleigh, NC 27699-1612	61-//////
Phone: 919-707-9239	WATBAND DE
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.
Agency Contact, if any: Jennifer Everett	PETRALON
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinated 11
Action taken:	THE STATE OF THE S
RRC Extended period of review: RRC determined substantial changes:	& E
Withdrawn by agency	
Subject to Legislative Review Other:	

#### SUBMISSION FOR PERMANENT RULE

NOV 2 1 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: X ADOPTION		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)	
X No	□ 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  Notice not required under G.S.: Adoption by agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact (check all that apply):	
	☐ State funds affected	
Yes	Environmental permitting of DOT affected and	
Agency submitted request for consultation on:  Consultation not required. Cite authority:	analysis submitted to Board of Transportation	
Consultation not required. Cite authority.	Local funds affected	
X No	Substantial economic impact (≥\$1,000,000)	
	Approved by OSBM	
	X No fiscal note required	
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply:		
☐ Agency	X Legislation enacted by the General Assembly	
Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4	
Federal statute / cite:	Petition for rule-making	
Federal regulation / cite:	Other:	
	opt rules that would protect public health and safety; protect public and other natural resources; promote economic development and expand	
	I efficient development of the State's oil and gas resources. After	
	SL 2012-143, and information from studies about the operation and	
	action activities, the MEC is proposing to adopt 124 new rules and to	
	and gas industry for the purpose of oil and gas exploration and	
development.		
10. Rule-making Coordinator: Robert B. Josey Jr.	11. Signature of Agency Head* or Rule-making Coordinator:	
Address: 1612 Mail Service Center		
Raleigh, NC 27699-1612 Phone: 919-707-9239	Blt /3/2	
E-Mail: robert.josey@ncdenr.gov	*If this function has been delogated (reassigned) pursuant to	
L'ilan. 10001.jusoj (gliedolli.gu)	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Agency Contact, if any: Jennifer Everett	Typed Name: Robert B. Josey Jr.	
Phone: 919-707-8614	T J Pote 1 telling 1 to 5 to	
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinator	
	O OAH USE ONLY	
Action taken:	파일 볼 [다	
	6 <del>-</del> 1	
RRC Extended period of review:	S of U	
RRC determined substantial changes:	· · · · · · · · · · · · · · · · · · ·	
Withdrawn by agency		
Subject to Legislative Review		
Other:		

#### SUBMISSION FOR PERMANENT RULE

NOV 2 1 2014

1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15	A NCAC 05H .1801, Purpose and Scope
3. Action: X ADOPTION AMENDMENT REPEAL	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)
X No	□ No
6. Notice for Proposed Rule:	
X Notice Required	
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  Notice not required under G.S.:	
Adoption by agency on:  7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact (check all that apply):
	☐ State funds affected
Yes	Environmental permitting of DOT affected and
Agency submitted request for consultation on:  Consultation not required. Cite authority:	analysis submitted to Board of Transportation
Consultation not required. Cite authority.	Local funds affected
X No	Substantial economic impact (≥\$1,000,000)
	☐ Approved by OSBM  X No fiscal note required
	A no istal note required
9. REASO 9A. What prompted this action? Check all that apply:	ON FOR ACTION
Agency	X Legislation enacted by the General Assembly
Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4
Federal statute / cite:	Petition for rule-making
Federal regulation / cite:	Other:
9B. Explain: Session Law 2012-143 directed the MEC to add	opt rules that would protect public health and safety; protect public and
private property; protect and conserve the State's air, water, and	nd other natural resources; promote economic development and expand defficient 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
notential impacts of modern oil and gas exploration and produ	action 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.	11. Signature of Agency Head* or Rule-making Coordinator:
Address: 1612 Mail Service Center	A + O I / I
Raleigh, NC 27699-1612	The USA-1
Phone: 919-707-9239 E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to
E-Man. Tobert, jose y concucrin. gov	G.S. 143B-10(a), submit a copy of the delegation with this form.
Agency Contact, if any: Jennifer Everett	<b>7</b>
Phone: 919-707-8614	Thursday I Manager Dalagas D. Lagary Inc.
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinator
	O OAH USE ONLY
Action taken:	The second second
	골유 골 시
RRC Extended period of review:	6 - Internal
RRC determined substantial changes:	s of U
Withdrawn by agency	6
Subject to Legislative Review	
Other:	

1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 1	5A NCAC 05H .1802, Water Supply Testing Notifications
2. Rule charlon es name (name not repair). Territorio over 1202, trans empre,	
3. Action:	
X ADOPTION AMENDMENT REPEAL	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)
X No	□ 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/min	ing-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)	8. Fiscal impact (check all that apply):
, itule computation of mercando a feet (see class 12 oil)	
☐ Yes	<ul> <li>State funds affected</li> <li>Environmental permitting of DOT affected and</li> </ul>
Agency submitted request for consultation on:	analysis submitted to Board of Transportation
Consultation not required. Cite authority:	Local funds affected
X No	Substantial economic impact (≥\$1,000,000)
A 110	Approved by OSBM
	X No fiscal note required
9. REAS	ON FOR ACTION
9A. What prompted this action? Check all that apply:	
☐ Agency	X Legislation enacted by the General Assembly
Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4
Federal statute / cite:	Petition for rule-making
Federal regulation / cite:  OB Explain: Session Law 2012 142 directed the MEC to ad-	Other: opt rules that would protect public health and safety; protect public and
	nd other natural resources; promote economic development and expand
	l efficient development of the State's oil and gas resources. After
	SL 2012-143, and information from studies about the operation and
	action activities, the MEC is proposing to adopt 124 new rules and to
	and gas industry for the purpose of oil and gas exploration and
development.  10. Rule-making Coordinator: Robert B. Josey Jr.	11. Signature of Agency Head* or Rule-making Coordinator:
Address: 1612 Mail Service Center	11. Signature of Agency Head" of Rule-making Coordinator:
Raleigh, NC 27699-1612	hA- // //
Phone: 919-707-9239	gold Day /
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to
	G.S. 143B-10(a), submit a copy of the delegation with this form.
Agency Contact, if any: Jennifer Everett Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinator
RRC AND OAH USE ONLY	
Action taken:	
	$\mathcal{Z}_{\mathcal{M}} = \mathcal{A}_{\mathcal{M}}$
RRC Extended period of review:	<i>₹</i> ♀ <b>⋾ ७</b>
RRC determined substantial changes:  Withdrawn by agency	
Subject to Legislative Review	
Other:	8

#### ORIGINAL NOV 21 2014

1. Rule-Making Agency: Mining and Energy Commission	
	A NICAC OSIL 1902 Water Cumily Testing Presedures
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1803, Water Supply Testing Procedures	
3. Action:	
X ADOPTION AMENDMENT REPEAL	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)
X No	□ No
6. Notice for Proposed Rule:	
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/min	ing-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)	8. Fiscal impact (check all that apply):
	State funds affected
☐ Yes	Environmental permitting of DOT affected and
Agency submitted request for consultation on:	analysis submitted to Board of Transportation
Consultation not required. Cite authority:	Local funds affected
	Substantial economic impact (≥\$1,000,000)
X No	Approved by OSBM
	X No fiscal note required
	***************************************
9. REAS	ON FOR ACTION
9A. What prompted this action? Check all that apply:	
☐ Agency	X Legislation enacted by the General Assembly
Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4
Federal statute / cite:	Petition for rule-making
Federal regulation / cite:	Other:
	opt rules that would protect public health and safety; protect public and
private property; protect and conserve the State's air, water, a	nd other natural resources; promote economic development and expand
employment opportunities; and provide for the productive and	l 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 produ	ection 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.	11. Signature of Agency Head* or Rule-making Coordinator:
Address: 1612 Mail Service Center	
Raleigh, NC 27699-1612	What B I all
Phone: 919-707-9239	
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to
	G.S. 143B-10(a), submit a copy of the delegation with this form.
Agency Contact, if any: Jennifer Everett	Thursd Names Dahart D. Jacob In
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr. Title: DEMLR/MEC Rule-making Coordinator
E-Mail: Jennifer.everett@ncdenr.gov	
	O OAH USE ONLY
Action taken:	ž Z
RRC Extended period of review:	TAN
RRC determined substantial changes:	四份 一
Withdrawn by agency	APQ # 11
Subject to Legislative Review	ZH ZH
Other:	$\mathcal{Q}$ = $\mathbb{Q}$

#### ORIGINAL NOV 212014

1. Rule-Making Agency: Mining and Energy Commission	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 AMENDMENT REPEAL		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)	
X No	□ 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  Notice not required under G.S.: Adoption by agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact (check all that apply):	
Yes Agency submitted request for consultation on: Consultation not required. Cite authority:  X No	<ul> <li>State funds affected</li> <li>Environmental permitting of DOT affected and analysis submitted to Board of Transportation</li> <li>Local funds affected</li> <li>Substantial economic impact (≥\$1,000,000)</li> <li>Approved by OSBM</li> <li>X No fiscal note required</li> </ul>	
9A. What prompted this action? Check all that apply:  Agency Court order / cite: Federal statute / cite: Federal regulation / cite:  9B. Explain: Session Law 2012-143 directed the MEC to adoprivate property; protect and conserve the State's air, water, are employment opportunities; and provide for the productive and reviewing the current regulations of the State, the mandate in Spotential impacts of modern oil and gas exploration and productive and repeal 10 others rules in order to appropriately regulate the oil development.	X Legislation enacted by the General Assembly Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4 Petition for rule-making Other: Opt rules that would protect public health and safety; protect public and and other natural resources; promote economic development and expand efficient development of the State's oil and gas resources. After SL 2012-143, and information from studies about the operation and ction activities, the MEC is proposing to adopt 124 new rules and to and gas industry for the purpose of oil and gas exploration and	
10. Rule-making Coordinator: Robert B. Josey Jr. Address: 1612 Mail Service Center	11. Signature of Agency Head* or Rule-making Coordinator:	
Raleigh, NC 27699-1612	hh () /	
Phone: 919-707-9239	KM BL 1	
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.	
Agency Contact, if any: Jennifer Everett	Older Tien Totall annuage a cold or one anti-Zarion tien our lotter	
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.	
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinator	
RRC AND OAH USE ONLY		
Action taken:		
RRC Extended period of review:	差而 -	
RRC determined substantial changes:  Withdrawn by agency		
Subject to Legislative Review	ố " <u>-                                  </u>	
Other:	9 7	

ORIGINAL

NOV 212014

1. Rule-Making Agency: Mining and Energy Commission		
2. Rule citation & name (name not required for repeal): 15	A NCAC 05H .1805, Reporting of Test Results	
3. Action: X ADOPTION AMENDMENT REPEAL		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
☐ Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)	
X No	□ 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  Notice not required under G.S.: Adoption by agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact (check all that apply):	
Yes Agency submitted request for consultation on: Consultation not required. Cite authority:  X No	<ul> <li>State funds affected</li> <li>Environmental permitting of DOT affected and analysis submitted to Board of Transportation</li> <li>Local funds affected</li> <li>Substantial economic impact (≥\$1,000,000)</li> <li>Approved by OSBM</li> </ul>	
	X No fiscal note required	
9. REASON FOR ACTION  9A. What prompted this action? Check all that apply:    Agency		
10. Rule-making Coordinator: Robert B. Josey Jr. Address: 1612 Mail Service Center	11. Signature of Agency Head or Rule making Coordinator:	
Raleigh, NC 27699-1612	MT Q/	
Phone: 919-707-9239	Jam Ofor L	
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form	
Agency Contact, if any: Jennifer Everett	6 =	
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.	
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEVILEYMEC Rule-making Coordinator	
	DOAH USE ONLY	
Action taken:  RRC Extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:	APINGS	

#### SUBMISSION FOR PERMANENT RULE

NOV 2 1 2014

1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 1:	5A NCAC 05H .1806, Record Keeping and Reporting
3. Action:	
X ADOPTION AMENDMENT REPEAL	5. Rule automatically subject to legislative review?
4. Rule exempt from RRC review?	X Yes. Cite authority: S.L. 2014-4 § 2.(a)
Yes. Cite authority: X No	No
6. Notice for Proposed Rule:	
X Notice Required	
Notice of Text published on: 7/15/14	in a and an array commission/withlin comment meetings
Link to Agency notice: http://portal.ncdenr.org/web/min Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14	ing-and-energy-commission/public-comment-intectings
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)	8. Fiscal impact (check all that apply):
	State funds affected
Yes Yes	Environmental permitting of DOT affected and
Agency submitted request for consultation on:  Consultation not required. Cite authority:	analysis submitted to Board of Transportation
Consultation not required. Cite authority.	Local funds affected
X No	Substantial economic impact (≥\$1,000,000)  Approved by OSBM
	X No fiscal note required
9. REAS 9A. What prompted this action? Check all that apply:	ON FOR ACTION
	X Legislation enacted by the General Assembly
☐ Agency ☐ Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4
Federal statute / cite:	Petition for rule-making
Federal regulation / cite:	Other:
	opt rules that would protect public health and safety; protect public and
private property; protect and conserve the State's air, water, a	nd other natural resources; promote economic development and expand defficient 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 produ	action activities, the MEC is proposing to adopt 124 new rules and to
	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	11. Signature of Agency Head* or Rule-making Coordinator:
Raleigh, NC 27699-1612	
Phone: 919-707-9239	Ktt () for h
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to
C 4 4 to T 10 TD 44	G.S. 143B-10(a), submit a copy of the delegation with this form.
Agency Contact, if any: Jennifer Everett Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinator
RRC AND OAH USE ONLY	
Action taken:	2元 - 1
	\$ P P P P P P P P P P P P P P P P P P P
RRC Extended period of review:	6 - M
RRC determined substantial changes:	
Withdrawn by agency	7 0
Subject to Legislative Review	
Other:	

	NOV 2 1 2014	
1. Rule-Making Agency: Mining and Energy Commission	TO STEET	
2. Rule citation & name (name not required for repeal): 15	A NCAC 05H .1807, Tracer Technology	
3. Action: X ADOPTION AMENDMENT REPEAL		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)	
X No	□ 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  Notice not required under G.S.: Adoption by agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact (check all that apply):	
Yes Agency submitted request for consultation on: Consultation not required. Cite authority:  X No	<ul> <li>State funds affected</li> <li>Environmental permitting of DOT affected and analysis submitted to Board of Transportation</li> <li>Local funds affected</li> <li>Substantial economic impact (≥\$1,000,000)</li> <li>Approved by OSBM</li> <li>X No fiscal note required</li> </ul>	
O. DEAC	ON FOR ACTION	
9A. What prompted this action? Check all that apply:	ON FOR ACTION	
Agency  Court order / cite:  Federal statute / cite:  Federal regulation / cite:  Detition 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.	11. Signature of Agency Head* or Rule-making Coordinator:	
Address: 1612 Mail Service Center Raleigh, NC 27699-1612 Phone: 919-707-9239 E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.	
Agency Contact, if any: Jennifer Everett	O.B. 140D-10(a), Submit a copy of the delegation with this form.	
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.	
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinator	
Action taken:	O OAH USE ONLY	
RRC Extended period of review:	50 manual	
RRC Extended period of review.  RRC determined substantial changes:	- No. 1	
Withdrawn by agency	₩ <del>-</del>	
Subject to Legislative Review	9. ( )	
Other:	<b>V</b> •	

### ORIGINAL NOV 212014

1. Rule-Making Agency: Mining and Energy Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1901, Water Management Plan Requirements	
2. Add character of many and a series of the	
3. Action:	
X ADOPTION AMENDMENT REPEAL	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)
X No	□ 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/min	ing-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)	8. Fiscal impact (check all that apply):
_	State funds affected
Yes	Environmental permitting of DOT affected and
Agency submitted request for consultation on:	analysis submitted to Board of Transportation
Consultation not required. Cite authority:	Local funds affected
Y NY	Substantial economic impact (≥\$1,000,000)
X No	Approved by OSBM
	X No fiscal note required
A DELC	ON DOD A CITYON
	ON FOR ACTION
9A. What prompted this action? Check all that apply:	
Agency	X Legislation enacted by the General Assembly Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4
Court order / cite: Federal statute / cite:	Petition for rule-making
Federal statute / cite:	Other:
	opt rules that would protect public health and safety; protect public and
private property: protect and conserve the State's air, water, at	nd other natural resources; promote economic development and expand
employment opportunities: and provide for the productive and	l 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.	11. Signature of Agency Head* or Rule-making Coordinator:
Address: 1612 Mail Service Center	
Raleigh, NC 27699-1612	1/her 1 /5/
Phone: 919-707-9239	
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to
	G.S. 143B-10(a), submit a copy of the delegation with this form.
Agency Contact, if any: Jennifer Everett	Typed Name: Robert B. Josey Jr.
Phone: 919-707-8614	Title DEMI PAGE Pula making Coordinates
E-Mail: Jennifer.everett@ncdenr.gov Title: DEMLR/MEC Rule-making Coordinato	
Action taken:	The state of the s
Action taken.	市品 2
	50 - m
RRC Extended period of review:	<b>☆</b>
RRC determined substantial changes:	
☐ Withdrawn by agency	0 ()
Subject to Legislative Review	7
Other:	

1. Rule-Making Agency: Mining and Energy Commission	10V Z 1 ZUM	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1902, Surface Water Source Documentation		
3. Action: X ADOPTION AMENDMENT REPEAL		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)	
X No	□ 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  Notice not required under G.S.: Adoption by agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact (check all that apply):	
Yes Agency submitted request for consultation on: Consultation not required. Cite authority:	State funds affected Environmental permitting of DOT affected and analysis submitted to Board of Transportation	
X No	<ul> <li>Local funds affected</li> <li>Substantial economic impact (≥\$1,000,000)</li> <li>Approved by OSBM</li> </ul>	
	X No fiscal note required	
9. REASO 9A. What prompted this action? Check all that apply:	ON FOR ACTION	
☐ Agency ☐ Court order / cite:	X Legislation enacted by the General Assembly Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4	
Federal statute / cite:	Petition for rule-making	
Federal regulation / cite:	Other:	
	opt rules that would protect public health and safety; protect public and	
private property; protect and conserve the State's air, water, ar	nd 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	
	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.	11. Signature of Agency Head* or Rule, making Coordinator:	
Address: 1612 Mail Service Center	11. Signature of Agency Head of Rule-making Cooldmator:	
Raleigh, NC 27699-1612	h/1-12	
Phone: 919-707-9239	(Kun V) L	
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to	
A Control of Second	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Agency Contact, if any: Jennifer Everett Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.	
E-Mail: Jennifer.everett@ncdenr.gov	Typed Name: Robert B. Josey Jr.  Title: DEMLR/MEC Rule-making Coordinato	
	O OAH USE ONLY	
Action taken:		
	而 <u>。</u> 2	
	E	
RRC Extended period of review:	<b>2</b>	
RRC determined substantial changes: Withdrawn by agency		
Subject to Legislative Review	RINGS 1: 07	
Other:	7	

	NIV 2 1 2114	
1. Rule-Making Agency: Mining and Energy Commission		
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1903, Groundwater Source Documentation		
` '	ŕ	
3. Action:		
X ADOPTION	·	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
· ·	1	
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)	
X No	□ 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/min	ing-and-energy-commission/public-comment-meetings	
<b>Hearing on:</b> 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)	8. Fiscal impact (check all that apply):	
☐ Yes	State funds affected	
Agency submitted request for consultation on:	☐ Environmental permitting of DOT affected and	
Consultation not required. Cite authority:	analysis submitted to Board of Transportation	
,	Local funds affected	
X No	Substantial economic impact (≥\$1,000,000)	
	Approved by OSBM	
	X No fiscal note required	
0 DEAC	ON FOR ACTION	
	ON FOR ACTION	
9A. What prompted this action? Check all that apply:		
Agency	X Legislation enacted by the General Assembly	
Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4	
Federal statute / cite:	Petition for rule-making	
Federal regulation / cite:	Other:	
	opt rules that would protect public health and safety; protect public and	
	nd other natural resources; promote economic development and expand	
	l 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		
	ection activities, the MEC is proposing to adopt 124 new rules and to	
	and gas industry for the purpose of oil and gas exploration and	
development.		
10. Rule-making Coordinator: Robert B. Josey Jr.	11. Signature of Agency Head* or Rule-making Coordinator:	
Address: 1612 Mail Service Center	(H-) 1 1	
Raleigh, NC 27699-1612	M / / //	
Phone: 919-707-9239	- Do O Start /	
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to	
-	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Agency Contact, if any: Jennifer Everett		
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.	
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinator	
RRC AND OAH USE ONLY		
Action taken:		
	gueran rhino,	
RRC Extended period of review:		
RRC determined substantial changes:	9 9	
Withdrawn by agency		
Subject to Legislative Review		
Other		

#### SUBMISSION FOR PERMANENT RULE

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: X ADOPTION AMENDMENT REPEAL	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)
X No	□ 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  Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact (check all that apply):
Yes Agency submitted request for consultation on: Consultation not required. Cite authority:  X No	<ul> <li>State funds affected</li> <li>Environmental permitting of DOT affected and analysis submitted to Board of Transportation</li> <li>Local funds affected</li> <li>Substantial economic impact (≥\$1,000,000)</li> <li>Approved by OSBM</li> <li>X No fiscal note required</li> </ul>
9. REASO 9A. What prompted this action? Check all that apply:	ON FOR ACTION
☐ Agency ☐ Court order / cite: ☐ Federal statute / cite: ☐ Federal regulation / cite:  9B. Explain: Session Law 2012-143 directed the MEC to ade private property; protect and conserve the State's air, water, a employment opportunities; and provide for the productive and reviewing the current regulations of the State, the mandate in potential impacts of modern oil and gas exploration and produce repeal 10 others rules in order to appropriately regulate the oil development.	X Legislation enacted by the General Assembly Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4 Petition for rule-making Other: Opt rules that would protect public health and safety; protect public and and other natural resources; promote economic development and expand efficient development of the State's oil and gas resources. After SL 2012-143, and information from studies about the operation and action activities, the MEC is proposing to adopt 124 new rules and to and gas industry for the purpose of oil and gas exploration and
10. Rule-making Coordinator: Robert B. Josey Jr.	11. Signature of Agency Head* or Rule-making Coordinator:
Address: 1612 Mail Service Center Raleigh, NC 27699-1612	
Phone: 919-707-9239	Taller What h
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to
D Man Joseph San Land Box	G.S. 143B-10(a), submit a copy of the delegation with this form.
Agency Contact, if any: Jennifer Everett	
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.  Title: DEMLR/MEC Rule-making Coordinate
E-Mail: Jennifer.everett@ncdenr.gov	
RRC AND OAH USE ONLY	
Action taken:	五百 2 1
RRC Extended period of review:	복인 골 //
RRC determined substantial changes:	<b>6</b>
Withdrawn by agency	8 = U
Subject to Legislative Review	



1. Rule-Making Agency: Mining and Energy Commission		
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1905, Alternative Water Sources		
3. Action: X ADOPTION AMENDMENT REPEAL		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)	
X No	□ 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  ☐ Notice not required under G.S.: Adoption by agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact (check all that apply):	
☐ Yes Agency submitted request for consultation on: Consultation not required. Cite authority:  X No	<ul> <li>State funds affected</li> <li>Environmental permitting of DOT affected and analysis submitted to Board of Transportation</li> <li>Local funds affected</li> <li>Substantial economic impact (≥\$1,000,000)</li> <li>Approved by OSBM</li> <li>X No fiscal note required</li> </ul>	
	ON FOR ACTION	
9A. What prompted this action? Check all that apply:		
Agency	X Legislation enacted by the General Assembly	
Court order / cite:	Cite Session Law S.L. 2012-143; 2013-365; and 2014-4	
Federal statute / cite:	Petition for rule-making	
Federal regulation / cite:	Other:	
	opt rules that would protect public health and safety; protect public and	
	nd other natural resources; promote economic development and expand efficient development of the State's oil and gas resources. After	
	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.	ξ	
10. Rule-making Coordinator: Robert B. Josey Jr.	11. Signature of Agency Head* or Rule-making Coordinator:	
Address: 1612 Mail Service Center		
Raleigh, NC 27699-1612	That is	
Phone: 919-707-9239	- The state of the	
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.	
Agency Contact, if any: Jennifer Everett		
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.	
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinator	
	OAH USE ONLY	
Action taken:  RRC Extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review	ADMIN HEAPIN	
Other:	<u> </u>	

	NOV 2 1 2014—	
1. Rule-Making Agency: Mining and Energy Commission		
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .1906, Reporting		
3. Action: X ADOPTION AMENDMENT REPEAL		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)	
X No	□ 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  Notice not required under G.S.: Adoption by agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact (check all that apply):	
☐ Yes Agency submitted request for consultation on: Consultation not required. Cite authority:  X No	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	
	X No fiscal note required	
9. REASO 9A. What prompted this action? Check all that apply:	ON FOR ACTION	
Agency Court order / cite: Federal statute / cite: Federal regulation / cite:  9B. Explain: Session Law 2012-143 directed the MEC to add private property; protect and conserve the State's air, water, an employment opportunities; and provide for the productive and reviewing the current regulations of the State, the mandate in Spotential impacts of modern oil and gas exploration and productive.	X Legislation enacted by the General Assembly Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4 Petition for rule-making Other: Opt rules that would protect public health and safety; protect public and other natural resources; promote economic development and expand efficient development of the State's oil and gas resources. After SL 2012-143, and information from studies about the operation and ction activities, the MEC is proposing to adopt 124 new rules and to and gas industry for the purpose of oil and gas exploration and	
10. Rule-making Coordinator: Robert B. Josey Jr.	11. Signature of Agency Head* or/Rule-making Coordinator:	
Address: 1612 Mail Service Center Raleigh, NC 27699-1612 Phone: 919-707-9239 E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to	
	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Agency Contact, if any: Jennifer Everett Phone: 919-707-8614	Tuned Name: Pohert R. Joseph Ir	
E-Mail: Jennifer.everett@ncdenr.gov	Typed Name: Robert B. Josey Jr.  Title: DEMLR/MEC Rule-making Coordinator	
	OAH USE ONLY	
Action taken:	MOSE THE SECOND	
RRC Extended period of review:	西台 一 日	
RRC determined substantial changes:	PS P TI	
Withdrawn by agency	之前 三	
Subject to Legislative Review Other:	₩ = []	

#### SUBMISSION FOR PERMANENT RULE

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: X ADOPTION AMENDMENT REPEAL	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)
X No	□ 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  Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact (check all that apply):
Yes	☐ State funds affected
Agency submitted request for consultation on:	Environmental permitting of DOT affected and
Consultation not required. Cite authority:	analysis submitted to Board of Transportation
Consultation not required. Cite authority.	Local funds affected
X No	Substantial economic impact (≥\$1,000,000)
•	Approved by OSBM
	X No fiscal note required
9. REASO 9A. What prompted this action? Check all that apply:	ON FOR ACTION
Agency	X Legislation enacted by the General Assembly
' Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4
Federal statute / cite:	Petition for rule-making
Federal regulation / cite:	Other: opt rules that would protect public health and safety; protect public and
	nd other natural resources; promote economic development and expand
	l efficient development of the State's oil and gas resources. After
	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.	11. Signature of Agency Head* or Rule-making Coordinator:
Address: 1612 Mail Service Center	4+1)// //
Raleigh, NC 27699-1612 Phone: 919-707-9239	18M 194 1
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to
E-Man. Toott. Josey Concuenting ov	G.S. 143B-10(a), submit a copy of the delegation with this form.
Agency Contact, if any: Jennifer Everett	Truned Names Debout D. Jacon In
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinates 77
	O OAH USE ONLY
Action taken:	
RRC Extended period of review:	
RRC determined substantial changes:	ő ()
Withdrawn by agency	
Subject to Legislative Review	j
Other:	

## 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: X ADOPTION AMENDMENT REPEAL		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)	
X No	□ 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  Notice not required under G.S.: Adoption by agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact (check all that apply):	
Yes Agency submitted request for consultation on: Consultation not required. Cite authority:  X No	<ul> <li>State funds affected</li> <li>Environmental permitting of DOT affected and analysis submitted to Board of Transportation</li> <li>Local funds affected</li> <li>Substantial economic impact (≥\$1,000,000)</li> <li>Approved by OSBM</li> <li>X No fiscal note required</li> </ul>	
	ON FOR ACTION	
private property; protect and conserve the State's air, water, are mployment opportunities; and provide for the productive and reviewing the current regulations of the State, the mandate in a potential impacts of modern oil and gas exploration and productive all 10 others rules in order to appropriately regulate the oil development.	X Legislation enacted by the General Assembly Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4 Petition for rule-making Other: opt rules that would protect public health and safety; protect public and other natural resources; promote economic development and expand efficient development of the State's oil and gas resources. After SL 2012-143, and information from studies about the operation and ction activities, the MEC is proposing to adopt 124 new rules and to and gas industry for the purpose of oil and gas exploration and	
10. Rule-making Coordinator: Robert B. Josey Jr.	11. Signature of Agency Head* or Rule-making Coordinator:	
Address: 1612 Mail Service Center	(//w 0 / /	
Raleigh, NC 27699-1612	What KI a	
Phone: 919-707-9239	Treating to the land of the la	
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.	
Agency Contact, if any: Jennifer Everett		
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.	
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinator	
RRC AND OAH USE ONLY		
Action taken:		
RRC Extended period of review:	1 / 1 / 1 / 1 / 1 / 1 / 1 / 1 / 1 / 1 /	
RRC determined substantial changes:	<i>3</i> 9 ≥ <i>1</i> 1	
Withdrawn by agency	$\epsilon^{\tau}$	
Subject to Legislative Review Other:	Š T	
	1. J 4 J I	

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		
3. Action: X ADOPTION AMENDMENT REPEAL		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
☐ Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)	
X No	□ 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  Notice not required under G.S.: Adoption by agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact (check all that apply):	
Yes Agency submitted request for consultation on: Consultation not required. Cite authority: X No	<ul> <li>State funds affected</li> <li>Environmental permitting of DOT affected and analysis submitted to Board of Transportation</li> <li>Local funds affected</li> <li>Substantial economic impact (≥\$1,000,000)</li> <li>Approved by OSBM</li> <li>X No fiscal note required</li> </ul>	
	ON FOR ACTION	
private property; protect and conserve the State's air, water, ar employment opportunities; and provide for the productive and reviewing the current regulations of the State, the mandate in Spotential impacts of modern oil and gas exploration and product repeal 10 others rules in order to appropriately regulate the oil development.	X Legislation enacted by the General Assembly Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4 Petition for rule-making Other: opt rules that would protect public health and safety; protect public and other natural resources; promote economic development and expand efficient development of the State's oil and gas resources. After SL 2012-143, and information from studies about the operation and ction activities, the MEC is proposing to adopt 124 new rules and to and gas industry for the purpose of oil and gas exploration and	
10. Rule-making Coordinator: Robert B. Josey Jr.	11. Signature of Agency Head* or Rule-making Coordinator:	
Address: 1612 Mail Service Center	4+01	
Raleigh, NC 27699-1612 Phone: 919-707-9239	The 15 Lin L	
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to	
Agency Contact, if any: Jennifer Everett Phone: 919-707-8614 E-Mail: Jennifer.everett@ncdenr.gov	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	
E-Mail: Jennifer.everett@ncdenr.gov  Title: DEMLR/MEC Rule-making Coordinator  RRC AND OAH USE ONLY		
Action taken:		
	\$11	
☐ RRC Extended period of review: ☐ RRC determined substantial changes: ☐ Withdrawn by agency ☐ Subject to Legislative Review ☐ Other:	WGS TO	

1. Rule-Making Agency: Mining and Energy Commission	·	
2. Rule citation & name (name not required for repeal): 15	A NCAC 05H .2004, Pit Closure Requirements	
3. Action: X ADOPTION AMENDMENT REPEAL		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)	
X No	□ 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; 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)	8. Fiscal impact (check all that apply):	
Yes Agency submitted request for consultation on: Consultation not required. Cite authority:  X No	<ul> <li>State funds affected</li> <li>Environmental permitting of DOT affected and analysis submitted to Board of Transportation</li> <li>Local funds affected</li> <li>Substantial economic impact (≥\$1,000,000)</li> </ul>	
A NO	Approved by OSBM	
	X No fiscal note required	
9. REASO 9A. What prompted this action? Check all that apply:	ON FOR ACTION	
☐ Agency ☐ Court order / cite: ☐ Federal statute / cite:	X Legislation enacted by the General Assembly Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4 Petition for rule-making	
Federal regulation / cite:  OR Explain: Session Law 2012-143 directed the MEC to add	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.	11. Signature of Agency Head* or Rule-making Coordinator:	
Address: 1612 Mail Service Center Raleigh, NC 27699-1612	Stat B	
Phone: 919-707-9239		
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.	
Agency Contact, if any: Jennifer Everett		
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.	
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinator OAH USE ONLY	
Action taken:	O OAH USE ONLY	
	$\mathcal{G}^{\mathcal{H}}$ = $\mathcal{G}^{\mathcal{H}}$	
RRC Extended period of review:	무유 교 기계	
RRC determined substantial changes:	\$	
Withdrawn by agency		
Subject to Legislative Review Other:		

#### SUBMISSION FOR PERMANENT RULE

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: REPEAL 5. Rule automatically subject to legislative review? 4. Rule exempt from RRC review? X Yes. Cite authority: S.L. 2014-4 § 2.(a) Yes. Cite authority: X No □ 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 Notice not required under G.S.: Adoption by agency on: 7. Rule establishes or increases a fee? (See G.S. 12-3.1) 8. Fiscal impact (check all that apply): State funds affected Yes Yes Environmental permitting of DOT affected and Agency submitted request for consultation on: analysis submitted to Board of Transportation Consultation not required. Cite authority: ☐ Local funds affected ☐ Substantial economic impact (≥\$1,000,000) X No Approved by OSBM X No fiscal note required 9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: Agency X Legislation enacted by the General Assembly Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4 Court order / cite: Federal statute / cite: Petition for rule-making Other: Federal regulation / cite: 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. 11. Signature of Agency Head\* or Rule-making Coordinator: Address: 1612 Mail Service Center Raleigh, NC 27699-1612 Phone: 919-707-9239 \*If this function has been delegated (reassigned) pursuant to E-Mail: robert.josey@ncdenr.gov G.S. 143B-10(a), submit a copy of the delegation with this form Agency Contact, if any: Jennifer Everett Phone: 919-707-8614 Typed Name: Robert B. Josey Jr. Title: DEMLR/MEC Rule-making Coordinator E-Mail: Jennifer.everett@ncdenr.gov RRC AND OAH USE ONLY Action taken: RRC Extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:



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 AMENDMENT REPEAL 4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)	
X No	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/min	ing-and-energy-commission/public-comment-meetings	
Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14	ing and onergy commission paone common meetings	
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)	8. Fiscal impact (check all that apply):	
 	☐ State funds affected	
Yes Agency submitted request for consultation on:	Environmental permitting of DOT affected and	
Consultation not required. Cite authority:	analysis submitted to Board of Transportation	
•	<ul><li>Local funds affected</li><li>Substantial economic impact (≥\$1,000,000)</li></ul>	
X No	Approved by OSBM	
	X No fiscal note required	
0 DEAC	ON FOR ACTION	
94. What prompted this action? Check all that apply:	ON FOR ACTION	
Agency	X Legislation enacted by the General Assembly	
Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4	
Federal statute / cite:	Petition for rule-making	
Federal regulation / cite:	Other:	
	opt rules that would protect public health and safety; protect public and other natural resources; promote economic development and expand	
	efficient development of the State's oil and gas resources. After	
	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.	11 Cincture of Assessed Tready on Dule making Coordinators	
10. Rule-making Coordinator: Robert B. Josey Jr. Address: 1612 Mail Service Center	11. Signature of Agency Head* or Rule-making Coordinator:	
Raleigh, NC 27699-1612		
Phone: 919-707-9239	The by the	
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to	
	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Agency Contact, if any: Jennifer Everett Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.	
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinator	
RRC AND OAH USE ONLY		
Action taken:	100 May 1	
RRC Extended period of review:	黄帝 2 一	
RRC determined substantial changes:	<b>20</b> - 7	
Withdrawn by agency	₹ <sup>†</sup> ₹ 11	
Subject to Legislative Review	8 · ·	
Other:	9 (/	

#### SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Mining and Energy Commission		
2. Rule citation & name (name not required for repeal): 1	5A NCAC 05H .2007, Monitoring and Reporting	
2 A-4:		
3. Action:   X ADOPTION		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)	
X No	□ 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  Notice not required under G.S.: Adoption by agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact (check all that apply):	
☐ Yes Agency submitted request for consultation on: Consultation not required. Cite authority: X No	<ul> <li>State funds affected</li> <li>Environmental permitting of DOT affected and analysis submitted to Board of Transportation</li> <li>Local funds affected</li> <li>Substantial economic impact (≥\$1,000,000)</li> <li>Approved by OSBM</li> <li>X No fiscal note required</li> </ul>	
9. REAS 9A. What prompted this action? Check all that apply:	ON FOR ACTION	
private property; protect and conserve the State's air, water, a employment opportunities; and provide for the productive and reviewing the current regulations of the State, the mandate in potential impacts of modern oil and gas exploration and produce repeal 10 others rules in order to appropriately regulate the oil development.	X Legislation enacted by the General Assembly Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4 Petition for rule-making Other: opt rules that would protect public health and safety; protect public and nd other natural resources; promote economic development and expand efficient development of the State's oil and gas resources. After SL 2012-143, and information from studies about the operation and action activities, the MEC is proposing to adopt 124 new rules and to land gas industry for the purpose of oil and gas exploration and	
10. Rule-making Coordinator: Robert B. Josey Jr.	11. Signature of Agency Head* or Rule-making Coordinator:	
Address: 1612 Mail Service Center Raleigh, NC 27699-1612		
Phone: 919-707-9239	for they the	
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to	
Agency Contact, if any: Jennifer Everett	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.	
E-Mail: Jennifer.everett@ncdenr.gov	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	86 = 08	
Other:		

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		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)	
X No	□ 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/mini	ing-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)	8. Fiscal impact (check all that apply):	
	State funds affected	
Yes	Environmental permitting of DOT affected and	
Agency submitted request for consultation on:  Consultation not required. Cite authority:	analysis submitted to Board of Transportation	
Consultation not required. One authority.	Local funds affected	
X No	Substantial economic impact (≥\$1,000,000)  Approved by OSBM	
	X No fiscal note required	
0 DEAC	-	
94. What prompted this action? Check all that apply:	ON FOR ACTION	
Agency	X Legislation enacted by the General Assembly	
Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4	
Federal statute / cite:	Petition for rule-making	
Federal regulation / cite:	Other:  opt rules that would protect public health and safety; protect public and	
	nd 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 produ	ction activities, the MEC is proposing to adopt 124 new rules and to	
development.	and gas industry for the purpose of oil and gas exploration and	
10. Rule-making Coordinator: Robert B. Josey Jr.	11. Signature of Agency Head* or Rule-making Coordinator:	
Address: 1612 Mail Service Center		
Raleigh, NC 27699-1612	Met /B/	
Phone: 919-707-9239 E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to	
2 1.2022. 100011,1000/00,1000111.501	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Agency Contact, if any: Jennifer Everett		
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.	
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinator OAH USE ONLY	
Action taken:	OAII USE OILDI	
	A 20.	
D ppgp to deducted of		
RRC Extended period of review: RRC determined substantial changes:	27 2	
Withdrawn by agency		
Subject to Legislative Review		
Other:	골유 교 [[	
Permanent Rule 0400 – 11/2014		

#### SUBMISSION FOR PERMANENT RULE

108 () 1601		
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:		
X ADOPTION AMENDMENT REPEAL		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)	
X No	□ 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/min	ing-and-energy-commission/public-comment-meetings	
Hearing on: 8/20/14; 8/22/14; 8/25/14; and 9/12/14	mg and onorgy commission paone comment meetings	
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)	8. Fiscal impact (check all that apply):	
	State funds affected	
☐ Yes	Environmental permitting of DOT affected and	
Agency submitted request for consultation on:	analysis submitted to Board of Transportation	
Consultation not required. Cite authority:	Local funds affected	
	Substantial economic impact (≥\$1,000,000)	
X No	Approved by OSBM	
	X No fiscal note required	
	A No fiscal note required	
9. REAS	ON FOR ACTION	
9A. What prompted this action? Check all that apply:		
Agency	X Legislation enacted by the General Assembly	
Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4	
Federal statute / cite:	Petition for rule-making	
Federal regulation / cite:	Other:	
	opt rules that would protect public health and safety; protect public and	
private property: protect and conserve the State's air water as	nd other natural resources; promote economic development and expand	
omployment expertunities; and provide for the productive and	efficient development of the State's oil and gas resources. After	
employment opportunities, and provide for the productive and	SL 2012-143, and information from studies about the operation and	
reviewing the current regulations of the State, the mandate in	action activities, the MEC is proposing to adopt 124 new rules and to	
potential impacts of modern oil and gas exploration and produ	and gas industry for the purpose of oil and gas exploration and	
	and gas industry for the purpose of our and gas exploration and	
development.	11 C'	
10. Rule-making Coordinator: Robert B. Josey Jr.	11. Signature of Agency Head* or Rule-making Coordinator:	
Address: 1612 Mail Service Center		
Raleigh, NC 27699-1612	MXXX /	
Phone: 919-707-9239		
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to	
	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Agency Contact, if any: Jennifer Everett		
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.	
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinator	
RRC AND OAH USE ONLY		
Action taken:		
	FO V	
RRC Extended period of review:	\$'m = 1	
RRC determined substantial changes:		
Withdrawn by agency	£ π ≥ 1/1 × π ≥ 1/1 ×	
Subject to Legislative Review	Š -	
Other:	9//	

1. Rule-Making Agency: Mining and Energy Commission	NOV 2 1 2014	
2. Rule citation & name (name not required for repeal): 15A NCAC 05H .2103, Timing and Notice of Reclamation		
z. Mane chanton or name (name not required for repeat). I.	······································	
3. Action:		
X ADOPTION  AMENDMENT  REPEAL		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)	
X No	□ 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/min	ing-and-energy-commission/public-comment-meetings	
<b>Hearing on:</b> 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)	8. Fiscal impact (check all that apply):	
Yes	☐ State funds affected	
Yes Agency submitted request for consultation on:	Environmental permitting of DOT affected and	
Consultation not required. Cite authority:	analysis submitted to Board of Transportation	
	Local funds affected	
X No	Substantial economic impact (≥\$1,000,000)  Approved by OSBM	
	X No fiscal note required	
	ON FOR ACTION	
9A. What prompted this action? Check all that apply:	V. Louislation angested by the Conoral Assembly	
Agency Court order / cite:	X Legislation enacted by the General Assembly Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4	
Federal statute / cite:	Petition for rule-making	
Federal regulation / cite:	Other:	
9B. Explain: Session Law 2012-143 directed the MEC to ad	opt rules that would protect public health and safety; protect public and	
private property; protect and conserve the State's air, water, a	nd other natural resources; promote economic development and expand	
employment opportunities; and provide for the productive and	defficient 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.	11. Signature of Agency Head' or Rule-making Coordinator:	
Address: 1612 Mail Service Center		
Raleigh, NC 27699-1612	Mat K	
Phone: 919-707-9239	The state of the s	
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to	
Agency Contact, if any: Jennifer Everett	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.	
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMI R/MEC Rule-making Coordinator	
RRC AND OAH USE ONLY		
Action taken:	まる。	
	发而 一	
DDC Puton ded noticed of recoders:	2 P P P P P P P P P P P P P P P P P P P	
RRC Extended period of review: RRC determined substantial changes:	שׁבַּי בַּ	
Withdrawn by agency		
Subject to Legislative Review	38 0	
Other:		

#### SUBMISSION FOR PERMANENT RULE

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:		
X ADOPTION AMENDMENT REPEAL		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	X Yes. Cite authority: S.L. 2014-4 § 2.(a)	
X No	□ 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  Notice not required under G.S.: Adoption by agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact (check all that apply):	
□ v <sub>ee</sub>	☐ State funds affected	
Yes Agency submitted request for consultation on:	Environmental permitting of DOT affected and	
Consultation not required. Cite authority:	analysis submitted to Board of Transportation	
	<ul><li>Local funds affected</li><li>Substantial economic impact (≥\$1,000,000)</li></ul>	
X No	Approved by OSBM	
	X No fiscal note required	
O DELG		
94. What prompted this action? Check all that apply:	ON FOR ACTION	
Agency	X Legislation enacted by the General Assembly	
Court order / cite:	Cite Session Law: S.L. 2012-143; 2013-365; and 2014-4	
Federal statute / cite: Federal regulation / cite:	☐ Petition for rule-making ☐ Other:	
	opt rules that would protect public health and safety; protect public and	
private property; protect and conserve the State's air, water, a	nd other natural resources; promote economic development and expand	
employment opportunities; and provide for the productive and	l efficient development of the State's oil and gas resources. After	
	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.	and gas industry for the purpose of our and gas exploration and	
10. Rule-making Coordinator: Robert B. Josey Jr.	11. Signature of Agency Head* or Rule-making Coordinator:	
Address: 1612 Mail Service Center	M. A.A.	
Raleigh, NC 27699-1612		
Phone: 919-707-9239	To the first of th	
E-Mail: robert.josey@ncdenr.gov	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.	
Agency Contact, if any: Jennifer Everett	G.S. 1430-10(a), submit a copy of the delegation with this form.	
Phone: 919-707-8614	Typed Name: Robert B. Josey Jr.	
E-Mail: Jennifer.everett@ncdenr.gov	Title: DEMLR/MEC Rule-making Coordinator	
RRC AND OAH USE ONLY		
Action taken:		
RRC Extended period of review:	\$Q 5 h	
RRC determined substantial changes:		
Withdrawn by agency		
Subject to Legislative Review	<i>98 U</i>	
Other:		