REQUEST FOR TECHNICAL CHANGE

AGENCY: ENVIRONMENTAL MANAGEMENT COMMISSION

RULE CITATION: 15A NCAC 02C .0201

DEADLINE FOR RECEIPT: THURSDAY, APRIL 5, 2012

***NOTE WELL: This request when viewed on computer may extend several pages. Please be sure you have reached the end of the document.***

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

*Please correct the formatting in this rule to comply with OAH rule 26 NCAC 02C .0405, especially (b)(2)(C) and (D).*

*OAH format provisions require that “section” in the first line of the rule be capitalized.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: ENVIRONMENTAL MANAGEMENT COMMISSION

RULE CITATION: 15A NCAC 02C .0202

DEADLINE FOR RECEIPT: THURSDAY, APRIL 5, 2012

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

*OAH format provisions require that “section” in the first line of the rule be capitalized.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: ENVIRONMENTAL MANAGEMENT COMMISSION

RULE CITATION: 15A NCAC 02C .0204

DEADLINE FOR RECEIPT: THURSDAY, APRIL 5, 2012

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

*Please correct the formatting in this rule to comply with OAH rule 26 NCAC 02C .0405, especially (b)(2)(C) and (D).*

*OAH format provisions require that “subchapter” in line 5 of the rule be capitalized.*

*I would suggest that unless none of the terms in the general statutes apply, in line 6 you should change “subchapter ...” to “Subchapter, G.S. 87-85, and G.S. 143-213 ....”*

*In item (32), page 4 lines 132 and 134, change “section” to “Section.”*

*In (34), page 4 line 137, make “state” capitalized.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: ENVIRONMENTAL MANAGEMENT COMMISSION

RULE CITATION: 15A NCAC 02C .0206

DEADLINE FOR RECEIPT: THURSDAY, APRIL 5, 2012

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

*In (a) and (b) OAH format provisions require that “rules” and “section” in lines 4 - 9 be capitalized. This change applies to all locations where these terms in this context are found, whether specifically mentioned or not.*

*In (b)(2) line 11 I would suggest changing “within 24 hours (or the next business day)” to “by the close of the next business day” or some similar language. This would also eliminate any possible confusion where the incident occurred, e.g. at 10:00 p.m. of one business day and the notice came at 9:59 p.m. of the next day which also happened to be a business day.*

*In (b)(3)(C) line 20 delete or define “significant."*

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Joseph J. DeLuca, Jr.

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: ENVIRONMENTAL MANAGEMENT COMMISSION

RULE CITATION: 15A NCAC 02C .0207

DEADLINE FOR RECEIPT: THURSDAY, APRIL 5, 2012

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

*Please correct the formatting in this rule to comply with OAH rule 26 NCAC 02C .0405, especially (b)(2)(C) and (D).*

*Capitalize “section” in (e) page 2 line 42.*

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Joseph J. DeLuca, Jr.

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: ENVIRONMENTAL MANAGEMENT COMMISSION

RULE CITATION: 15A NCAC 02C .0208

DEADLINE FOR RECEIPT: THURSDAY, APRIL 5, 2012

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In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

*Please correct the formatting in this rule to comply with OAH rule 26 NCAC 02C .0405, especially (b)(2)(C) and (D).*

*OAH format provisions require that “section” in the first line of the rule be capitalized.*

*In line 6 delete “as” in “as approved” as redundant of the “as” in “as equivalent.”*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

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Joseph J. DeLuca, Jr.

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: ENVIRONMENTAL MANAGEMENT COMMISSION

RULE CITATION: 15A NCAC 02C .0209

DEADLINE FOR RECEIPT: THURSDAY, APRIL 5, 2012

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In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

*Please correct the formatting in this rule to comply with OAH rule 26 NCAC 02C .0405, especially (b)(2)(C) and (D).*

*For consistency with the other rules in this section you should change the periods at the end of (5)(a)(i) – (x) and (5)(b)(i) – (xii) to semicolons and add the word “and” at the end of (ix) and (xi) respectively.*

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Joseph J. DeLuca, Jr.

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: ENVIRONMENTAL MANAGEMENT COMMISSION

RULE CITATION: 15A NCAC 02C .0211

DEADLINE FOR RECEIPT: THURSDAY, APRIL 5, 2012

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

*Please correct the formatting in this rule to comply with OAH rule 26 NCAC 02C .0405, especially (b)(2)(C) and (D).*

*OAH format provisions require that “section” in lines 6, 13, 15, 22, page 6 line 196, and page 8 line 268 (two occasions) of the rule be capitalized.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: ENVIRONMENTAL MANAGEMENT COMMISSION

RULE CITATION: 15A NCAC 02C .0217

DEADLINE FOR RECEIPT: THURSDAY, APRIL 5, 2012

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

*The formatting in this rule has not been properly applied. Please see OAH rule 26 NCAC 02C .0405(b)(1) for formatting directions concerning changes to a newly adopted rule.*

*OAH format provisions require that “section” in lines 14, 15, 16, and 18 of the rule be capitalized.*

*In (d) line 19 change “should” to “shall.”*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: ENVIRONMENTAL MANAGEMENT COMMISSION

RULE CITATION: 15A NCAC 02C .0218

DEADLINE FOR RECEIPT: THURSDAY, APRIL 5, 2012

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

*The formatting in this rule has not been properly applied. Please see OAH rule 26 NCAC 02C .0405(b)(1) for formatting directions concerning changes to a newly adopted rule.*

*OAH format provisions require that “section” in lines 6 and 8 of the rule be capitalized.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: ENVIRONMENTAL MANAGEMENT COMMISSION

RULE CITATION: 15A NCAC 02C .0219

DEADLINE FOR RECEIPT: THURSDAY, APRIL 5, 2012

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

*The formatting in this rule has not been properly applied. Please see OAH rule 26 NCAC 02C .0405(b)(1) for formatting directions concerning changes to a newly adopted rule.*

*OAH format provisions require that “section” in line 6 of the rule be capitalized.*

*In (b)(1)(A) and (B) lines 11 and 13 it seems to me that “their” should be “his” [or “his or her”] to agree with the singular “owner” in lines 10 and 13 or else everything would need to be in the plural to agree with “their.”*

*Are “transmissivity” and especially “storativity” found in (b)(5)(D) on page 2 line 41 actual words used in the industry? I would refer to the “storage capacity” or some similar term. But if these are terms actually used by persons in the industry, I’ll accept them.*

*In (e)(2) page 4 line 143 it seems to me that “physical and mechanical” would be better if it read “physical or mechanical.”*

*In (e)(4) page 5 line 151 I would change “be grouted completely” to “be completely grouted.”*

*In (e)(14) page 6 line 196 change “are” to “is” to agree with “one of the following....” And at the end of (e)(14(A) line 198 it seems to me that “and” should be “or.”*

*In (e)(21) page 7 line 226 it seems to me that the semicolon after “well;” should be deleted.*

*In (h)(2)(H) page 8 line 284 capitalize “subchapter.”*

*In (h) page 9 sub-paragraph (6) requires the presence or use of “continuous recording devices” to monitor injection pressure, flow rate, and cumulative volume while (7) requires “monitoring” of those parameters “on a schedule determined by the Director.” If there are “continuous recording devices” to monitor those parameters isn’t that already setting a schedule or do they not have to be continually recording? Please review these two to see if they are actually both referring to the same monitoring and should or could be combined into one item. If there is some use of “continuous recording devices” that requires a schedule, could you please explain that to me?*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

REQUEST FOR TECHNICAL CHANGE

AGENCY: ENVIRONMENTAL MANAGEMENT COMMISSION

RULE CITATION: 15A NCAC 02C .0220

DEADLINE FOR RECEIPT: THURSDAY, APRIL 5, 2012

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In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

*The formatting in this rule has not been properly applied. Please see OAH rule 26 NCAC 02C .0405(b)(1) for formatting directions concerning changes to a newly adopted rule.*

*OAH format provisions require that “rule” in line 7 (but not line 6) of the rule be capitalized.*

*OAH format provisions require that “section” in line 9 of the rule be capitalized.*

*OAH format provisions require that “subchapter” in line 11 of the rule be capitalized.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: ENVIRONMENTAL MANAGEMENT COMMISSION

RULE CITATION: 15A NCAC 02C .0221

DEADLINE FOR RECEIPT: THURSDAY, APRIL 5, 2012

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In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

*The formatting in this rule has not been properly applied. Please see OAH rule 26 NCAC 02C .0405(b)(1) for formatting directions concerning changes to a newly adopted rule.*

*In line 6 change “Subparagraph” to “Rule” in line 6 and capitalize “section” in lines 7 and 10.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: ENVIRONMENTAL MANAGEMENT COMMISSION

RULE CITATION: 15A NCAC 02C .0222

DEADLINE FOR RECEIPT: THURSDAY, APRIL 5, 2012

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*OAH format provisions require that “section” in lines 10, 11, and 13 of the rule be capitalized.*

*OAH format provisions require that “subchapter” in (e)(8) page 3 line 88 of the rule be capitalized.*

*In (d)(1) it is not abundantly clear whether the same information is required from both the well owner and well operator (if different from the owner) or just the operator. If the same information is required from each I would suggest rewriting along these lines or something similar: “The well owner’s name, address, telephone number ... or other activity. If the well operator is different from the owner then the same information shall be provided for the well operator.” Or you might say: “Both the well owner’s and the well operator’s name, address, ...” On your form you would have a box for the well owner and then a box for the well operator – if different from the owner, similar to mailing and billing address information when you place an order for something.*

*In (e)(17) at page 4 line 129 delete “entering” [or “from entering the well”] as redundant of “entrance” in the previous line in “to preclude the entrance of contaminants from entering the well.”*

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Joseph J. DeLuca, Jr.

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: ENVIRONMENTAL MANAGEMENT COMMISSION

RULE CITATION: 15A NCAC 02C .0223

DEADLINE FOR RECEIPT: THURSDAY, APRIL 5, 2012

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*The formatting in this rule has not been properly applied. Please see OAH rule 26 NCAC 02C .0405(b)(1) for formatting directions concerning changes to a newly adopted rule.*

*OAH format provisions require that “section” in lines 8 and 9 of the rule be capitalized.*

*In (d)(1) there is the same issue concerning the owner and operator as in the previous rule. Please address it in the same manner.*

*In (e)(19) at page 4 line 136 delete “entering” as redundant of “entrance” in the previous line in “to preclude the entrance of contaminants from entering the well.”*

*In (g)(2) page 5 line 173 please move “prior to use” to after “calibrated” in the preceding line.*

*In (g)(3) page 5 line 171 is “cuttings” the proper term, or should it be “borings” or “boring materials” or something else to indicate the dirt or other materials coming from the hole – which is what I presume is being tested?*

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Joseph J. DeLuca, Jr.

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: ENVIRONMENTAL MANAGEMENT COMMISSION

RULE CITATION: 15A NCAC 02C .0224

DEADLINE FOR RECEIPT: THURSDAY, APRIL 5, 2012

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

*The formatting in this rule has not been properly applied. Please see OAH rule 26 NCAC 02C .0405(b)(1) for formatting directions concerning changes to a newly adopted rule.*

*OAH format provisions require that “subchapter” in (d)(2) page 2 line 40 of the rule be capitalized.*

*In (b)(1) there is the same issue concerning the owner and operator as in the previous two rules. Please address it in the same manner.*

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If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: ENVIRONMENTAL MANAGEMENT COMMISSION

RULE CITATION: 15A NCAC 02C .0225

DEADLINE FOR RECEIPT: THURSDAY, APRIL 5, 2012

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In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

*The formatting in this rule has not been properly applied. Please see OAH rule 26 NCAC 02C .0405(b)(1) for formatting directions concerning changes to a newly adopted rule.*

*OAH format provisions require that “section” in (e) page 2 line 71 of the rule be capitalized.*

*In (b) line 10 there is a reference to “Subparagraphs (3) through (9) of this Rule.” It is not clear what subparagraphs are actually referred to. Please add the actual paragraph reference before “(3)” or otherwise correct the rule to be clear which paragraphs and sub-paragraphs are referred to.*

*In (e)(1)(E) page 3 line 85 I believe “State” should be “state.”*

*In (g)(16) page 9 line 293 change “are” to “is” to agree with “one.”*

*In (g)(23) page 9 line 323 delete the semicolon following “well;”.*

*In (k)(2)(A) page 11 line 399 delete the comma following “Director,”.*

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If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: ENVIRONMENTAL MANAGEMENT COMMISSION

RULE CITATION: 15A NCAC 02C .0226

DEADLINE FOR RECEIPT: THURSDAY, APRIL 5, 2012

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*The formatting in this rule has not been properly applied. Please see OAH rule 26 NCAC 02C .0405(b)(1) for formatting directions concerning a newly adopted rule.*

*OAH format provisions require that “section” in lines 5 and 8 of the rule be capitalized.*

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Joseph J. DeLuca, Jr.

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: ENVIRONMENTAL MANAGEMENT COMMISSION

RULE CITATION: 15A NCAC 02C .0227

DEADLINE FOR RECEIPT: THURSDAY, APRIL 5, 2012

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In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

*The formatting in this rule has not been properly applied. Please see OAH rule 26 NCAC 02C .0405(b)(1) for formatting directions concerning a newly adopted rule.*

*OAH format provisions require that “section” in line 6 and “rule” in line 11 be capitalized.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: ENVIRONMENTAL MANAGEMENT COMMISSION

RULE CITATION: 15A NCAC 02C .0228

DEADLINE FOR RECEIPT: THURSDAY, APRIL 5, 2012

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In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

*The formatting in this rule has not been properly applied. Please see OAH rule 26 NCAC 02C .0405(b)(1) for formatting directions concerning a newly adopted rule.*

*In lines 5 and 6 does “not used for the purpose of oil or natural gas production” modify “a non-oil or gas-producing zone”? If so the former phrase should be moved to immediately after the latter phrase. Otherwise the construction and meaning of the sentence is not abundantly clear.*

*OAH format provisions require that “section” in lines 7 and 9 of the rule be capitalized.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: ENVIRONMENTAL MANAGEMENT COMMISSION

RULE CITATION: 15A NCAC 02C .0229

DEADLINE FOR RECEIPT: THURSDAY, APRIL 5, 2012

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

*The formatting in this rule has not been properly applied. Please see OAH rule 26 NCAC 02C .0405(b)(1) for formatting directions concerning a newly adopted rule.*

*OAH format provisions require that “section” in lines 5 and 8 of the rule be capitalized.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: ENVIRONMENTAL MANAGEMENT COMMISSION

RULE CITATION: 15A NCAC 02C .0230

DEADLINE FOR RECEIPT: THURSDAY, APRIL 5, 2012

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

*The formatting in this rule has not been properly applied. Please see OAH rule 26 NCAC 02C .0405(b)(1) for formatting directions concerning a newly adopted rule.*

*OAH format provisions require that “section” in lines 8 and 11 of the rule be capitalized.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

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Joseph J. DeLuca, Jr.

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: ENVIRONMENTAL MANAGEMENT COMMISSION

RULE CITATION: 15A NCAC 02C .0240

DEADLINE FOR RECEIPT: THURSDAY, APRIL 5, 2012

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

*The formatting in this rule has not been properly applied. Please see OAH rule 26 NCAC 02C .0405(b)(1) for formatting directions concerning a newly adopted rule.*

*OAH format provisions require that “subchapter” in lines 8, 12, 34 and “section” in lines 25 and 26 of the rule be capitalized.*

*I believe the rule would be easier to read and understand if you combined (a)(1) and (3) as follows: “Procedures for temporarily or permanently abandoning wells other than closed-loop geothermal ....”*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: ENVIRONMENTAL MANAGEMENT COMMISSION

RULE CITATION: 15A NCAC 02C .0241

DEADLINE FOR RECEIPT: THURSDAY, APRIL 5, 2012

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

*OAH format provisions require that “section” in line 4 of the rule be capitalized.*

*In (a) lines 5 and 6 I would suggest a revision as follows: “Any variance shall be in writing by the person responsible for the construction of the well for which the variance is sought. The Director shall grant the variance if the Director finds facts to support the following conclusions: ....” This will eliminate redundancy concerning the written application.*

*In making this change be sure to apply the formatting rules in OAH rule 26 NCAC 02C .0405(b)(1) for formatting changes in a newly adopted rule.*

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If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: ENVIRONMENTAL MANAGEMENT COMMISSION

RULE CITATION: 15A NCAC 02C .0242

DEADLINE FOR RECEIPT: THURSDAY, APRIL 5, 2012

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

*OAH format provisions require that “section” in line 7 of the rule be capitalized.*

*In making this change be sure to apply the formatting rules in OAH rule 26 NCAC 02C .0405(b)(1) for formatting changes in a newly adopted rule.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.

Commission Counsel