

I have related questions.

Water Quality - Each well is surrounded by a 1-5 acre impervious pad. Runoff from the pads would be regulated under Stormwater rules. But Federal Law exempts oil & gas exploration from Clean Water Act stormwater restrictions. North Carolina has not yet finalized whether gas pad runoff will be subject to current Stormwater rules / setbacks to surface waters.

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Also - Where is the water necessary for hydraulic fracturing coming from? Chatham Co. has limited groundwater and is subject to drought

(WATER)

Sally Kost

Comment

Time to Flack  
a well.

A quick google search

reveals that many factors

can alter the time period

to do the actual fracture.

In general the time period

is much longer than the

(24 to 36 hours) that Mr. Womack

indicated. In some cases

(and from an industry's <sup>web</sup> site) it

can be 30 days so please

keep this in mind.

## NOISE & light

noise (& light)  
~~Noise/no~~

Q. Would this waiver be only  
for gas/oil activities?

other noisy industries have to get  
zoning, \$

Question from Jerry Cole

Set backs —

Are set backs forever? What happens when the well is capped and is no longer active. Will the setback requirements still be in place?



~~minimum~~ minimum setbacks are set by the State, based on health and safety, under what circumstances would a local entity ~~ever~~ be allowed to waive the state setback ~~and~~ and allow a smaller setback?

## Set back

- Well sites produce significant emissions as well as noise, light and safety issues (Benzene, possibly hydrogen sulfide, polycyclic aromatic hydrocarbons, methane, nitrous oxides, ozone...)

These <sup>emissions</sup> should make set backs much greater when schools, ball parks, areas with homes + <sup>churches, businesses</sup> ~~businesses~~ <sup>hospitals</sup> are down wind.

- waivers: Set for one drilling unit?

✓ How do other states handle waiver to noise/light when more than one well is in operation? Not just one <sup>drilling</sup> operation going on in an area.

## Local Government Land Use Regulations Comparison

### Issue Overview

#### REGULATING HYDRAULIC FRACTURING: LOCAL BALANCING ACT

- Local officials are responsible for the health, safety, and welfare of their citizens.
- They must balance some property owners' right to quiet enjoyment of their property versus the other property owners' right to extract natural gas from their property.

#### LOCAL CONCERNS

- Compatible land uses
- Side effects of industrial operations
- Ability to follow federal & state environmental laws
- Taxation/financial assurance

#### AREAS OF TRADITIONAL LOCAL CONTROL OVER HEAVY INDUSTRY

- Zoning: separation of uses, setbacks, allowable uses
- Industrial impacts
  - Health/safety/welfare: noise/light/odors
  - Streets: weight limits on city-owned roads, placement of infrastructure in municipal right-of-way, truck routes and timing of truck operations
- Federal/state environmental laws
  - Federal-state: flood plain management, stormwater, hazardous waste, air quality
  - State: sedimentation/erosion control, Water Supply Watershed
- Taxation/financial assurance requirements

#### COMPARISON OF LOCAL GOVERNMENT REGULATIONS IN OTHER STATES

- Setback requirements
- Industrial impacts
- Permitted uses
- Municipal bans on industry

#### DISCUSSION POINTS

- What is the public concern the regulation addresses?
- For each issue, who is the more appropriate regulator: state or local governments?