

**Meeting Minutes of the Rules Committee of the  
North Carolina Mining and Energy Commission  
June 6, 2013  
3:00 pm – 5:00 pm**

**I. Preliminary Matters**

**1. Call to Order and Notice of NCGS 138A-15**

Chairwoman Pickle called the meeting of the Rules Committee to order at 3:10 pm in the Ground Floor Hearing Room, Archdale Building in Raleigh, NC. Chairwoman Pickle read the relevant excerpt of the State Government Ethics Act, and asked Commission Members to consider whether or not they had conflicts of interest with respect to any items on the agenda. No conflicts were reported.

The following persons were in attendance for all or part of the meeting:

**Committee Members**

Amy Pickle (Chairwoman)  
Charlotte Mitchell  
George Howard  
Charles Holbrook

**Attorney General's Office**

Jennie Wilhelm Hauser

**DENR Staff Member**

Trina Ozer, Department of Environment and Natural Resources (DENR) Secretary's Office  
Tracy Davis, Division of Energy, Mineral and Land Resources (DEMLR)  
Mell Nevils, DEMLR  
Walt Haven, DEMLR  
Katherine Marciniak, DEMLR  
Ryan Channell, DEMLR  
Rosalind Harris, DEMLR

**Others in Attendance**

Refer to the attached meeting sign-in sheets.

**2. Review and approval of minutes from the May 31, 2013 meeting**

Ms. Charlotte Mitchell made a motion to approve the minutes and Mr. Charles Holbrook seconded. The motion passed.

**3. Revisions or additions to Agenda**

None

**II. Action Items**

**1. Continued Preparation of Water Acquisition and Management Rules for Transmittal to Full MEC**

The Committee made the following changes:

- Added language to section 3 (a) stating a water management plan must be approved by the Department prior to implementation;
- Deleted the last sentence in section 3 (d);

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- Removed the definition of “surface water source” from the text in section 4 (1) and inserted the definition into section 2;
- Struck the text highlighted by comment AP18;
- Changed the word detrimental to adverse in section 4 (1) (j);
- Used lower case letters for “Well Construction Report” throughout the rule set;
- Add a citation to a “standard groundwater testing” document;
- Created two paragraphs in order to identify two separate maps required in section 4 (2) (f);
- Removed paragraph (b) from section 6 and placed the text into section 3; and
- Write out the provisions for notification and remove the general statute reference.

Chairwoman Pickle noted that the rule will require the transmittal sheet prior to sending to the full commission. Mr. George Howard made a motion to incorporate all changes from the chair’s mark document for final approval and Ms. Charlotte Mitchell seconded. The motion passed.

**2. Continued Preparation of Chemical Disclosure Rules for Transmittal to Full MEC**

The Committee discussed proposed changes to the document based on information presented by Mr. Womack and the benefit of making the necessary changes with the Commission rather than in the Rules Committee.

Chairwoman Pickle instructed staff to incorporate all changes throughout the document and the policy/procedural details would be resolved with the Commission.

Ms. Charlotte Mitchell made a motion to accept technical changes and leave all comments/questions in the rule set and pass the rule onto the Commission for further discussion and changes; Mr. George Howard seconded. The motion passed.

**3. Continued Preparation of Prohibited Chemical Constituent Rules for Transmittal to Full MEC**

The Committee decided to remove effective date and initial drilling permit language from all rule sets. These two items were highlighted in the rule set as a place holder.

Mr. George Howard made a motion to move the prohibited chemical constituent rule to the Commission and Mr. Charles Holbrook seconded. The motion passed.

**III. Public Comment**

Therese Vick, Blue Ridge Environmental Defense League and a Chatham County resident, introduced the organizations new intern, Maria Khvatskaya.

**IV. Concluding Remarks**

No concluding remarks.

**Adjournment**

Chairwoman Pickle adjourned the meeting at 4:17 pm.

**DEMLR Staff contact for this Committee: Walt Haven, Energy Program Supervisor – NCDENR.**