

**Meeting Minutes of the Environmental Standards Committee of the
North Carolina Mining and Energy Commission
June 6, 2013**

1. Preliminary Matters

Committee Chairman Mr. George Howard called the meeting to order at 1:10 p.m. He read the ethics statement and asked Committee members whether or not they had conflicts of interest with respect to any action items on the agenda. None were expressed. Chairman Howard invited members of the public who wished to formally address the Committee to sign their names to the “public speakers” sign-in sheet.

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

Committee Members Present

Mr. George Howard, Chairman
Dr. Ray Covington , Vice Chair
Dr. Kenneth Taylor
Ms. Amy Pickle
Ms. Charlotte Mitchell
Dr. Marva Price, By Phone

Committee Members Absent

Dr. Vikram Rao

Attorney General’s Office

Jennie Wilhelm Hauser

DENR Staff Members

Trina Ozer, Office of the Secretary
Tracy Davis, Division of Energy, Mineral and Land Resources (DEMLR)
Toby Vinson, DEMLR
Walt Haven, DEMLR
Katherine Marciniak, DEMLR
Ryan Channell, DEMLR
Rosalind Harris, DEMLR

Others in Attendance

Refer to the meeting sign in sheets (attached to these minutes).

2. Background and Introduction - George Howard, Chairman

Chairman Howard provided a recap on the status of the Baseline Sampling Rule and briefly went over the agenda. He stated that the Baseline Rule will not be passed out of Committee during the meeting to allow for Dr. Rao to provide support for a “step-down canary” list of constituents to test for after baseline sampling. An interim meeting, prior to the June 27th meeting, may be scheduled.

3. Approval of Minutes from Last Meeting

Dr. Covington made a motion to approve the minutes and Dr. Taylor seconded. The motion passed.

4. Discussion of Air Quality Testing Section of Draft Baseline Sampling Rule, Mike Abraczinskas, Division of Air Quality (DAQ) (See attached document)

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Mr. Abraczinskas presented on the status of the current air quality regulations that may apply to the oil and gas industry activities in North Carolina. The following items were discussed during the presentation:

- At what point a site would require some level of air permitting due to the transitory nature and mobility of the equipment onsite;
- The ability for the DAQ to require special use permits;
- Protocols and procedures for air quality sampling and measuring already well established by the EPA;
- Installation of new ambient monitoring station in Lee County to collect background ambient conditions; and
- Does the current plan for collecting ambient air quality data sufficiently address other problems that other states had once the industry activity began, i.e. establishment of non-attainment in areas such as Wyoming? It was noted that this would require further research.

5. Presentation and Discussion of Draft Baseline Sampling Rule and “indicator” parameters for subsequent testing- Ryan Channell, DEMLR (See attached document)

Mr. Channell presented the revised Draft Baseline Sampling Rule to the Committee. The following comments and revisions occurred:

- Change rule title to “Baseline and Subsequent Sampling”;
- Strike “sampling” throughout the document;
- Discussion on the supportive papers not fully addressing the correlation between the full suite of constituents and the “canary” indicator list;
- There needs to be a threshold, or action, level established for the required chemical constituents;
- Additional research into ways to address possible “false negatives” when sampling;
- Review the Colorado 609 rule for permitting requirements related to baseline sampling.

6. Presentation of Setbacks- Katherine Marciniak, DEMLR

The Committee ran out of time for this agenda item. Presentation has been postponed to the next meeting of the Environmental Standards Committee.

7. Public Comment- No one signed up for public comment.

8. Discussion

Chairman Howard noted that he would contact staff to schedule an additional meeting for a date prior to the next schedule meeting on June 27, 2013.

8. Adjournment

The Environmental Standards Committee adjourned the meeting at 3:03 pm.

DENR Staff Contact for this Committee: Mr. Walt Haven, DEMLR