

Meeting Minutes of the Rules Committee of the
North Carolina Mining and Energy Commission
May 31, 2013
11:00 am – 12:00 pm

I. **Preliminary Matters**

1. Chairwoman Pickle called the meeting of the Rules Committee to order at 11:00 am in the First Floor Training Room, Green Square 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

Frank Crawley (legal counsel)

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)
Walt Haven, DEMLR
Katherine Marciniak, DEMLR
Ryan Channell, DEMLR
Layla Cummings, DENR

Others in Attendance

Refer to the attached meeting sign-in sheets.

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

Chairwoman Amy Pickle asked the Committee to review the minutes from the May 2, 2013 meeting. Mr. George Howard made a motion to approve the May 2, 2013 minutes and Mr. Charles Holbrook seconded. The motion passed.

3. **Revisions or additions to Agenda**

None

II. Action Items

1. Chairwoman Pickle presented the Chair's Mark document of the Water Acquisition and Management Rules, which included an addendum that reorganized section 3 of the rule (see attachments). The Committee discussed formatting, structure, and technical content of the rule and made a number of revisions:
 - Section 1 of the rule was revised to only include the scope of the rule;
 - Revise definitions to only list a rule or statute reference, instead of definition and reference;
 - Discussion on the development of a consistent phrase to include all phases of oil and gas site operations;
 - Accepted the following comments/revision as noted on the track changes/comment bubbles on Chair's Mark document: AP-1, AP-4, AP-5, AP-6, AP-7, AP-13, and AP-14;
 - Changes "project(s)" to "wellpad(s)" throughout the document;

The Committee was working on language in section 3(d) of the addendum to better clarify that an approved oil and gas permit would be required prior to the use of any water source that was investigated for the application. Any activities surrounding the investigation and assessment of the water source would not require a permit. The Committee requested that staff draft some language for this area to be considered at the next meeting on June 6th, 2013.

III. Public Comment

No one from the audience signed up for the public comment period.

IV. Concluding Remarks

The Committee did not complete the rule set review and will continue working on the rule set during the June 6, 2013 meeting.

V. Adjournment

Chairwoman Pickle adjourned the meeting at 12:18 pm.

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