

North Carolina Mining Commission

June 2, 2023
10:00 AM – 12:00 PM

Rules Committee Agenda Samuel Bratton Presiding

The Mining Commission Rules Committee will hold the June 2 meeting virtually. The audio and presentations will be broadcast via the state web conferencing link posted on the Mining Commission website at: <https://www.deq.nc.gov/about/boards-and-commissions/nc-mining-commission>. The public may access the meeting using the following link: <https://tinyurl.com/mr46pdy>.

I. Preliminary Matters

Mr. Bratton

A. Call to Order

B. Roll call

C. Notice of NCGS §138A-15

The Elections and Ethics Enforcement Act mandates that the Chair inquire as to whether any member knows of any known conflict of interest or appearance of conflict with respect to matters before the Commission. Executive Order 34 requires any member to recuse herself or himself from voting on any matter before this Commission which would confer a financial benefit on the member. If any member knows of a conflict of interest, appearance of a conflict, or possible financial benefit please so state at this time.

II. Old Business

A. Approval of Minutes

Mr. Bratton

III. New Business:

A. Overview of Rules Readoption Process

Douglas Ansel, Acting Director

The Division will review the ongoing process for Rules Readoption, including what is to be addressed in the two phase approach the Commission is pursuing, as well as where the Commission currently is in the process.

IV. Continue Phase One of Readoption

A. Staff Recommendations

Adam Parr and David Miller, DEMLR

Program staff will provide a presentation of the technical and administrative changes recommended by staff to the Mining Program Rules deemed by the Commission as necessary.

B. Commission Review and Discussion

V. Upcoming Items

A. Prepare for Phase Two of Readoption

1. Proposed Topics

Adam Parr, DEMLR

Program staff will present a list of topics the Program has identified as being beneficial to address and for which it will be drafting proposed rules for the Commission to consider later this year.

2. Adopt Policies to Solicit Feedback and Suggestions

Mr. Bratton

The Committee will discuss and adopt a process by which the public and industry can provide suggestions and feedback to the Committee for consideration. The Mining Program has proposed the following:

- (1) Establish minimum criteria for topic suggestions (Statute and/or Rule reference, wording of proposed change or underlying concept, any economic impacts)
- (2) Require that new topics or suggestions be submitted in advance. No new topics or language suggestions will be accepted from the floor during Committee meetings.
- (3) Setup a rule suggestion email list
- (4) Solicit feedback for a set period of time (30/60 days).
- (5) Mining Program to incorporate all topic suggestions into a spreadsheet to be circulated to committee members and posted online at least 48 hours prior to a scheduled Committee meeting. Topics will be grouped into subsets for discussion purposes.
- (6) Upon discussion of each topic group, Mining Program to develop proposed rule language for review by the Committee.
- (7) The Committee will review proposed language and either give instruction to the Mining Program regarding how to modify the language for additional review or will vote to finalize the language for presentation to the Commission.
- (8) Once all new rules have been finalized, the Committee will perform a final comprehensive review and vote to present the final rules package to the Commission for review and approval.

B. Future Committee Meetings

Mr. Bratton

VI. Closing Remarks.

Mr. Bratton

Adjournment June 2, 2023