

ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 786

AMENDMENT NO. A6
(to be filled in by
Principal Clerk)

S786-ARI-130 [v.4]

Page 1 of 1

Comm. Sub. [YES]
Amends Title [NO]
Second Edition

Date _____, 2014

Senator Jenkins

1 moves to amend the bill on page 11, lines 1 through 9,
2 by rewriting those lines to read:

3
4 "(b) Determination and Treatment of Confidential Information. – Information obtained
5 by the Commission and the Department pursuant to this Article, and rules adopted thereunder,
6 shall be available to the public except that, upon a showing satisfactory to the Commission by
7 any person that information to which the Commission and Department has access, if made
8 public, would divulge methods or processes entitled to protection as confidential information
9 pursuant to G.S. 132-1.2, the Commission shall consider the information confidential. In
10 accordance with subsection (b1) of G.S. 113-391, the State Geologist shall serve as the
11 custodian of the confidential information and shall ensure that it is maintained securely as
12 provided in G.S. 132-7. The State Geologist, or the Geologist's designee shall review
13 confidential information that concerns hydraulic fracturing fluid, as that term is defined in
14 G.S. 113-389, to ensure compliance with all State and federal laws, rules, and regulations
15 concerning prohibited chemicals or constituents, or exceedances of standards for chemicals or
16 constituents. The State Geologist, or the Geologist's designee shall: (i) issue a written
17 certification within five days of completion of the review that the hydraulic fracturing fluids,
18 including chemicals and constituents contained therein, comply with all State and federal laws,
19 rules, and regulations; (ii) transmit the certification to the Mining and Energy Commission and
20 the Director of the Division of Energy, Mining, and Land Resources; and (iii) transmit a copy
21 of the certification electronically to the permittee. Horizontal drilling and hydraulic fracturing
22 treatments shall not commence until this written certification has been issued and transmitted as
23 required by this subsection."

SIGNED _____
Amendment Sponsor

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and vote information, is available in the
Senate Principal Clerk's Office**

