

15A NCAC 05H .0708 DISPOSITION OF CONFIDENTIAL INFORMATION REQUEST

- (a) The Chair of the Commission shall make a determination on the completeness of the request for confidential information status based on Rule .0707 of this Section. If the request is not complete, the Chair shall return the request to the requesting party.
- (b) Before deciding the merits of the request, and upon consideration of the complete request for confidential information status, the Commission shall determine if additional information or presentation(s) are needed to dispose of the confidential information request and if so:
 - (1) request additional written submissions from the requesting party;
 - (2) request additional information from the State Geologist or other Department staff; and
 - (3) hear oral presentations from the requesting party or the Department.
- (c) The Commission shall consider the request in a closed session in accordance with G.S. 143-318.11.
- (d) The Commission shall consider the merits of the request and either approve or deny the request.
- (e) If the Commission determines that the information is not entitled to confidential protection, the Commission shall provide notice in accordance with G.S. 113-391.1(e).
- (f) Confidential information so designated by the Commission shall be held by the State Geologist in accordance with G.S. 113-391.1.

History Note: Authority G.S. 113-391(a)(5)h; 113-391.1; 150B, Article 3;
Eff. March 17, 2015.