

15A NCAC 05H .1310 PERMIT MODIFICATIONS

(a) Any permittee may apply at any time for a modification of the permit. The application shall be in writing on Form 2 – Oil or Gas Well Permit Application in accordance with Rule .1304 of this Section. The Department may review, approve, approve with conditions, or deny the application for modification in accordance with the rules of this Section.

(b) The permittee shall provide any additional information required by the Department to satisfy application requirements in accordance with Rule .1307 of this Section. The permittee shall not be required to resubmit information that remains unchanged since the time of the prior application.

(c) If a proposed modification of the permit affects the land area covered by the permit or the approved Reclamation Plan, then the permittee shall propose a modification to the Reclamation Plan that meets the requirements of Rule .2102 of this Subchapter.

(d) No modification of a permit shall become effective until any required change has been made in the bond or other security posted under the provisions of G.S. 113-378, 113-391, and 113-421, so as to assure the performance of obligations assumed by the permittee under the permit and Reclamation Plan.

(e) If at any time it appears to the Department from its inspection of the disturbed land that the activities under the Reclamation Plan and other terms and conditions of the permit are failing to achieve the purposes and requirements of this Subchapter, the Department shall give the permittee written notice of that fact and request the permittee to modify the permit in accordance with Rule .1307 of this Section.

History Note: Authority G.S. 113-391(a)(5)a; 113-391(a6); 113-395; 113-410(a);
Eff. March 17, 2015.