



NOTICE OF TEXT

[Authority G.S. 150B-21.2(c)]

OAH USE ONLY

VOLUME:

ISSUE:

CHECK APPROPRIATE BOX:

- ☒ Notice with a scheduled hearing
☐ Notice without a scheduled hearing
☐ Republication of text. Complete the following cite for the volume and issue of previous publication, as well as blocks 1 - 4 and 7 - 14. If a hearing is scheduled, complete block 5.
Previous publication of text was published in Volume: Issue:

1. Rule-Making Agency: Mining Commission

2. Link to agency website pursuant to G.S. 150B-19.1(c): <https://www.deq.nc.gov/about/boards-and-commissions/nc-mining-commission>

3. Proposed Action -- Check the appropriate box(es) and list rule citation(s) beside proposed action:

☒ ADOPTION: 15A NCAC 05B .0114 - .0117

☐ AMENDMENT:

☐ REPEAL:

☒ READOPTION with substantive changes: 15A NCAC 05A .0202; 05B .0103, .0104, .0105, .0110, .0111, .0112

☒ READOPTION without substantive changes: 15A NCAC 05A .0101; 05B .0113; 05F .0101 - .0106; 05G .0103 - .0105

☒ REPEAL through READOPTION: 15A NCAC 05B .0106; 05F.0111-.0112

4. Proposed effective date: July 1, 2026

5. Is a public hearing planned? ☒ Yes ☐ No If yes: Public Hearing date: November 18, 2025 Public Hearing time: 6:00 PM – 9:00 PM Public Hearing location: Ground Floor Hearing Room, DEQ Archdale Building, 512 N. Salisbury Street, Raleigh, NC 27604, or virtually using Cisco WebEx, Digital Hearing Link: https://ncgov.webex.com/ncgov/j.php?MTID=md779629b57347ccb38d070620bf41906 Meeting Password: MRC_1118_Attend (67201119 when dialing from a phone or video system) Audio conference: To receive a call back, provide your phone number when you join the event, or call the number below and enter the access code. US TOLL +1-415-655-0003, Access code: 2434 615 3140 If you wish to provide public comments via Webex at the public hearing, you must register, provide the required information, and follow instructions on ways to join the public hearing. Registration must be completed by 5:00 PM on November 17, 2025. To register, please complete the registration form at the link provided: https://forms.office.com/g/PQi7PfNmgy *For instructions on ways to join the public hearing, please refer to the following link: https://www.deq.nc.gov/about/boards-and-commissions/how-attend-webex-meeting-0
6. If no public hearing is scheduled, provide instructions on how to demand a public hearing: N/A
7. Explain Reason For Proposed Rule(s): § 150B-21.3A requires a periodic review and readoption of all the rules used by state agencies on at least a 10-year basis. The Mining Commission has directed the staff of the Division of Energy, Mineral and Land Resources to implement the administrative process necessary for the review of the rules in Title 15A, Chapter 05 of the North Carolina Administrative Code. The proposed rule changes are designed not only to satisfy the readoption requirement, but also to update references and terminology and to revise requirements in line with current practices and technological advancements. These updates will help ensure the rules remain accurate, relevant, and effective.
8. Procedure for Subjecting a Proposed Rule to Legislative Review: If an objection is not resolved prior to the adoption of the rule, a person may also submit written objections to the Rules Review Commission. If the Rules Review Commission receives written and signed objections in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive those objections by mail, delivery service, hand delivery, or email. If you have any further questions concerning the submission of objections to the Commission, please call a Commission staff attorney at 984-236-1850. ☐ Rule(s) is automatically subject to legislative review. Cite statutory reference:
9. The person to whom written comments may be submitted on the proposed rule(s): Name: Dwain Veach Address: 1612 Mail Service Center, Raleigh, NC 27699-1612 Phone (optional): Fax (optional): E-Mail (optional): dwain.veach@deq.nc.gov (Please type “Mining Rules” in subject line)
10. Comment Period Ends: December 15, 2025
11. Fiscal impact. Does any rule or combination of rules in this notice create an economic impact? Check all that apply. ☒ State funds affected ☒ Local funds affected ☐ Substantial economic impact (≥\$1,000,000) ☒ Approved by OSBM ☐ No fiscal note required

12. Rule-making Coordinator: Jennifer Everett Phone: 919-707-8595 E-Mail: jennifer.everett@deq.nc.gov Additional agency contact, if any: Phone: E-mail:	13. The Agency formally proposed the text of this rule(s) on Date: July 8, 2025 (rules), and September 17, 2025 (RIA)
	14. Signature of Agency Head* or Rule-making Coordinator: 
	Typed Name: Jennifer Everett Title: Rulemaking Coordinator <i>*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.</i>