

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

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HOUSE PRINCIPAL CLERK

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HOUSE DRH40073-MH-51 (02/10)

Short Title: Fracking-Protecting the Public. (Public)

Sponsors: Representatives Pendleton, Malone, and Dollar (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO REQUIRE THE ENVIRONMENTAL MANAGEMENT COMMISSION, IN
3 CONSULTATION WITH THE MINING AND ENERGY COMMISSION, TO ADOPT
4 RULES ESTABLISHING TECHNICAL REQUIREMENTS AND BEST
5 MANAGEMENT PRACTICES TO MINIMIZE LEAKS AND OTHER UNPERMITTED
6 RELEASES OF AIR POLLUTANTS FROM ACTIVITIES AND INFRASTRUCTURE
7 ASSOCIATED WITH GAS EXPLORATION, DEVELOPMENT, PRODUCTION,
8 PROCESSING, AND COMPRESSION INFRASTRUCTURE.

9 The General Assembly of North Carolina enacts:

10 **SECTION 1.** G.S. 113-391(a3) reads as rewritten:

11 "(a3) The Environmental Management Commission shall adopt rules, after consideration
12 of recommendations from the Mining and Energy Commission, for all of the following
13 purposes:

- 14 (1) Stormwater control for sites on which oil and gas exploration and
15 development activities are conducted.
- 16 (2) Regulation of toxic air emissions from drilling operations. In formulating
17 appropriate standards, the Department shall assess emissions from oil and
18 gas exploration and development activities that use horizontal drilling and
19 hydraulic fracturing technologies, including emissions from associated truck
20 traffic, in order to (i) determine the adequacy of the State's current air toxics
21 program to protect landowners who lease their property to drilling operations
22 and (ii) determine the impact on ozone levels in the area in order to
23 determine measures needed to maintain compliance with federal ozone
24 standards.
- 25 (3) Establishment of technical standards and practices to minimize emissions of
26 air toxics, volatile organic compounds, and other air pollutants and to
27 minimize leaks that result in the waste of natural gas or other hydrocarbons
28 from activities and infrastructure used in the exploration, development,
29 production, processing, and compression of natural gas. These standards and
30 practices shall include:
- 31 a. Technical standards and practices to minimize emissions and leaks
32 from equipment and activities used in the exploration, development,
33 production, processing, and compression of natural gas. Sources and
34 activities shall include, but are not limited to, pneumatic controllers
35 and pumps, compressors, wells, storage tanks, and dehydrators.



1 b. Minimum standards for an instrument-based leak detection and repair
2 program to ensure the elimination or minimization of emissions and
3 natural gas leaks from equipment used to facilitate the exploration,
4 development, production, processing, and compression of natural
5 gas. The leak detection and repair program shall provide for routine
6 inspection and maintenance of equipment and expeditious repair
7 time."

8 **SECTION 2.** This act is effective when it becomes law.