

**RULES
OF THE
OIL AND GAS PROGRAM
DIVISION OF WATER RESOURCES**

**CHAPTER 0400-52-11
EXCEPTIONS AND HEARINGS**

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0400-52-11-.01 Prevention of Waste

0400-52-11-.01 PREVENTION OF WASTE.

If any operator can show to the Supervisor that the work procedures herein prescribed result in waste, or such operations are unreasonable, the Supervisor may enter such an order, as a special exception to the aforesaid rules and regulations, as shall prevent such waste or eliminate such unreasonable restraint as may result from the application of the aforesaid rules and regulations to the well or wells of such operators; provided, however, that before any operator shall be allowed the benefit of any order granting an exception as authorized by this chapter, such operator shall establish that such exception, if granted, shall not result in waste in the field as a whole or give him an inequitable and unfair advantage over another operator or operators in the field. No special exception shall be granted except upon written application, fully stating the alleged facts, which shall be acted upon within 20 days after filing the application. At least 10 days prior to acting upon such application, the Supervisor shall give e-mail notice to all operators in the Field. In addition to said notice by e-mail, the applicant shall give adjacent operators, where appropriate, at least 10 days notice by personal service or by Certified Mail. If the Supervisor denies such a request, the operator may appeal to the Board and a contested case hearing shall be scheduled as soon as possible. The Supervisor shall send e-mail notice of such hearing to all operators in the Field at least 10 days prior to the hearing.

Authority: T.C.A §§ 60-1-201 et seq., and 4-5-201 et seq. **Administrative History:** Original rule filed March 20, 2013; effective June 18, 2013.