

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

**CHAPTER 0400-56-01
HEARINGS AND ADMINISTRATIVE APPROVAL**

TABLE OF CONTENTS

0400-56-01-.01 Hearings

0400-56-01-.02 Administrative Approval

0400-56-01-.01 HEARINGS.

- (1) Public hearings, after legal notice, shall be held by the Board as needed by the Board to implement its responsibility and upon applications made for such hearings. A notice of public hearing as provided by T.C.A. § 60-1-204 shall be given by publishing 1 notice of the time and place thereof in at least 3 newspapers of general circulation in at least 3 major cities in Tennessee, and such notice shall be published at least 10 days prior to the date of such hearing. Applicant shall pay the cost incurred in publishing legal notices. The time and place for each public hearing shall be fixed by the Board as soon as reasonably possible and each public hearing shall be conducted by the Board. If more than one hearing is to be held on a particular date, the Board conducting the hearings shall determine the order in which they shall be held.
- (2) The applicant shall open the hearing and present the testimony and exhibits offered in support of the application. The applicant's witnesses shall then be subject to cross-examination by the Board and by any person with an interest in the subject matter of the application. The Board shall determine the order of appearance of the other participants in the hearing.
- (3) Each person having an interest in the subject matter of the application and who has complied with the rules and procedures may present testimony and exhibits in support of or in opposition to the applicant. All witnesses shall be subject to cross-examination as set forth in paragraph (2) of this rule.
- (4) The applicant may offer rebuttal testimony and exhibits, but the witness shall again be subject to cross-examination. Surrebuttal testimony and exhibits and subsequent testimony and exhibits may be permitted at the discretion of the person conducting the hearing.
- (5) All witnesses shall testify under oath.
- (6) Closing statements and statements of position may be made by the participants and all other interested parties before the hearing is closed or at such time as designated by the Board.
- (7) The Supervisor shall record each hearing showing appearances, testimony and exhibits, statements, and all other records submitted at 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.

0400-56-01-.02 ADMINISTRATIVE APPROVAL.

- (1) Administrative approval of certain matters of a routine nature may be granted by the Supervisor upon submission of an application showing all pertinent information and data and after due notice is given to all operators of interest.

(Rule 0400-56-01-.02, continued)

- (a) The application shall be made to the Supervisor with a copy to each known offset lease owner and such application shall include:
 - 1. statement of reason and justification for requested relief,
 - 2. map or sketch illustrating the information pertinent to the request relief,
 - 3. list of names and addresses of all interested persons notified of the application.
- (b) If the application meets with the approval of the Supervisor and no written protest is received by the Supervisor within 15 days following prescribed notice of the application, the Supervisor may grant the requested relief without the necessity of a public hearing.
- (c) If the application is accompanied by a written waiver from all known offset lease owners, the 15 day delay shall be unnecessary.
- (d) If the Supervisor does not elect to approve the application administratively or if written protest is received within the 15 day period, the application may be set for public 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.