

RULE IMPACT STATEMENT

TITLE 155. OKLAHOMA CONSERVATION COMMISSION CHAPTER 15. OKLAHOMA'S ABANDONED MINE RECLAMATION PROGRAM

(A) PURPOSE OF THE PROPOSED RULE:

These proposed changes to rules are to assist in the implementation of the Oklahoma Abandoned Mine Land Reclamation Program. The intent of this program is to identify the highest priority abandoned mine land projects that pose the greatest threat to public health, safety, and property from the adverse effects of coal mining practices. These proposed changes to this rule will also set out the procedures for entry on to this land for purposes of reclamation.

(B) CLASSES OF PERSONS WHO MOST LIKELY WILL BE AFFECTED BY THE PROPOSED CHANGES TO THIS RULE AND ANY INFORMATION ON COST IMPACTS RECEIVED BY THE AGENCY FROM ANY PRIVATE OR PUBLIC ENTITIES:

These proposed changes to these rules affect persons who own abandoned mine land that poses a threat to the public health, safety, general welfare, and or property in eastern Oklahoma. This program is funded 100 percent by Federal funds.

(C) PERSONS WHO WILL BENEFIT FROM THE PROPOSED CHANGES TO THIS RULE:

Persons who own surface rights of the abandoned mine land that threatens public health, safety, general welfare, and property.

(D) DESCRIPTION OF THE PROBABLE IMPACT OF THE PROPOSED CHANGES TO THIS RULE UPON AFFECTED CLASSES OF PERSONS:

Affected persons will have several benefits from the proposed changes to this rule. The primary benefit will be the elimination of the threat to public health, safety, general welfare, and property because of the abandoned mine land hazards will be reclaimed. Other benefits would be less liability because the reclamation work on their land has eliminated or reduced the hazard. Another benefit would be that the reclaimed land could be used for many other purposes.

(E) PROBABLE COST AND BENEFITS TO AGENCY; SOURCE OF REVENUE FOR IMPLEMENTATION AND ENFORCEMENT OF THE PROPOSED CHANGES TO THIS RULE:

There is no cost to the agency to administer the Abandoned Mine Land's Program. In fact, it generates revenue to the agency because an indirect cost rate of 20 percent is charged on all abandoned mine land staff salaries.

(F) DETERMINATION OF WHETHER IMPLEMENTATION WILL HAVE ANY ECONOMIC IMPACT ON ANY POLITICAL SUBDIVISION OR REQUIRE THEIR COOPERATION IN IMPLEMENTATION OR ENFORCING THE PROPOSED CHANGES TO THIS RULE:

No effect on any political subdivision is anticipated by these proposed changes to this rule.

(G) DETERMINATION OF WHETHER IMPLEMENTATION OF THE PROPOSED

CHANGES TO THIS RULE WILL HAVE ANY ADVERSE EFFECT ON SMALL BUSINESS AS PROVIDED BY THE OKLAHOMA SMALL BUSINESS REGULATORY FLEXIBILITY ACT:

This agency knows of no adverse effects the proposed changes to this rule will have on small business. Small business will benefit from the rules because Federal dollars will be utilized in letting construction contracts which in turn will stimulate local economies where the reclamation work is carried out.

(H) DETERMINATION OF WHETHER THERE ARE LESS COSTLY METHODS OR NON-REGULATORY METHODS FOR ACHIEVING THE PURPOSE OF THE PROPOSED CHANGES TO THIS RULE:

This is a non-regulatory program. The agency knows of no less costly method to achieve the purpose of these proposed changes to these rules and the Oklahoma Abandoned Mine Land=s Program.

(I) DETERMINATION OF THE EFFECT OF THE PROPOSED RULE ON THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT:

The proposed changes to this rule will benefit the public health, safety, and environment by reclaiming the highest priority abandoned mine land sites that pose the greatest threat to the public health, safety, and environment.

(J) DETERMINATION OF ANY DETRIMENTAL EFFECT ON THE PUBLIC HEALTH, SAFETY, AND ENVIRONMENT:

The agency is not aware of any detrimental effect the proposed changes to this rule will have on public health, safety, and environment.

(K) DATE RULE IMPACT STATEMENT WAS PREPARED:

November 25, 2009