

**TITLE 460. DEPARTMENT OF MINES
CHAPTER 1. OKLAHOMA MINING COMMISSION**

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 3. Operational Procedures

460:1-3-2. Location [REVOKED]

460:1-3-6. Public inspection of documents [REVOKED]

Subchapter 9. Rules

460:1-9-1. Purpose [REVOKED]

SUMMARY:

Executive Order (EO) 2020-03, issued on February 3, 2020, requires state agencies to identify at least two (2) existing regulatory restrictions, as defined in EO 2020-03, to be revoked whenever they propose one (1) new regulatory restriction through the permanent rulemaking process. Because the agency recently adopted eight restrictions and revoked three obsolete restrictions, the agency determined that it must identify an additional thirteen (13) regulatory restrictions to be revoked. Among the rules proposed to be revoked in accordance with EO 2020-03 are three (3) rules in Chapter 1 of Title 460 of the Oklahoma Administrative Code (OAC). All of the rules identified below were written more than thirty (30) years ago and appear to no longer serve their intended purpose.

Section 460:1-3-2 was determined by the agency to be outdated and ineffective because it lists an incorrect address for the office of the Oklahoma Mining Commission (OMC), and because the OMC already uses the principal office of the Oklahoma Department of Mines for all its functions.

Section 460:1-3-6 was determined by the agency to be outdated and unnecessary because the Oklahoma Open Records Act, 51 O.S. § 24A.1 *et seq.*, already provides for the public inspection of all OMC records described by the rule.

Section 460:1-9-1 was determined by the agency to be duplicative because another rule in the same chapter, 460:1-1-1, adequately explains the scope and purpose of Chapter 1 of Title 460 of the OAC.

AUTHORITY:

45 O.S. Sections 1.5 *et seq.*, Oklahoma Mining Commission

COMMENT PERIOD:

From May 17, 2021 through June 21, 2021, the public may present their views, either orally or in writing, to the below listed contact person.

PUBLIC HEARING:

Persons, associations, political subdivisions, and state or federal agencies may request a hearing on these proposed rule amendments to Chapter 1 at any time prior to 5:00 p.m. on June 21, 2021. A request for a hearing must be made in writing and must be delivered by hand, through U.S. Mail or other commercial carrier, or by email to the below-listed contact person.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

N/A.

COPIES OF THE PROPOSED RULES:

Copies of the proposed rules may be obtained from the below listed contact person after May 3, 2021.

RULE IMPACT STATEMENT:

Copies of the Rule Impact Statement may be obtained from the below listed contact person on and after May 17, 2021.

CONTACT PERSON:

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