

**TITLE 460. DEPARTMENT OF MINES
CHAPTER 30. COAL COMBUSTION BY-PRODUCT PLACEMENT RULES AND
REGULATIONS**

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 4. Bond Requirements for CCB Operations

460:30-4-2. Definitions [AMENDED]

460:30-4-5. Form of the performance bond [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 is one rule in Chapter 30 of Title 460 of the Oklahoma Administrative Code (OAC). This rule is duplicative with one of the agency's other rules in the same subchapter.

Section 460:30-4-5 was determined to be unnecessary as its requirements are duplicative with the definitions found in Section 460:30-4-3. Section 460:30-4-3 will be amended so that it can stand alone without being accompanied by 460:30-4-5.

AUTHORITY:

45 O.S. § 732 and 45 O.S. § 940.

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 30 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:

Andrea Adams, Legal Assistant, Oklahoma Department of Mines, 2915 North Classen Blvd., Suite 213, Oklahoma City, OK 73106, (405)427-3859, Andrea.Adams@mines.ok.gov.