



Economic Impact Analysis Virginia Department of Planning and Budget

4 VAC 25-145 – Regulations on the Eligibility of Certain Mining Operators to Perform Reclamation Projects
Department of Mines, Minerals and Energy
August 19, 2011

Summary of the Proposed Amendments to Regulation

The Department of Mines, Minerals and Energy (Department) proposes to add clarifying language, update citations, and repeal obsolete language.

Result of Analysis

The benefits likely exceed the costs for all proposed changes.

Estimated Economic Impact

The proposed addition of clarifying language, updating of citations, and repealing of obsolete language will not change requirements, rules or opportunities and thus will produce no new cost. The proposed changes may improve the public's understanding of the existing requirements, rules and opportunities and thus will likely be beneficial to that extent.

Businesses and Entities Affected

There are approximately 29 licensed non-underground coal mine operators in the Commonwealth.¹ The Department estimates that fewer than five of these operators have any potential interest in reclamation projects and thus would be affected by these regulations.

Localities Particularly Affected

Coal mining in the Commonwealth primarily occurs in the following seven counties: Buchanan, Dickenson, Lee, Russell, Scott, Tazewell, and Wise.

¹ Data source: Department of Mines, Minerals and Energy

Projected Impact on Employment

The proposal amendments are unlikely to significantly affect employment.

Effects on the Use and Value of Private Property

The proposal amendments are unlikely to significantly affect the use and value of private property.

Small Businesses: Costs and Other Effects

The proposal amendments will not increase costs for small businesses.

Small Businesses: Alternative Method that Minimizes Adverse Impact

The proposal amendments will not increase costs for small businesses.

Real Estate Development Costs

The proposed amendments are unlikely to significantly affect real estate development costs.

Legal Mandate

The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with Section 2.2-4007.04 of the Administrative Process Act and Executive Order Number 14 (10). Section 2.2-4007.04 requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. Further, if the proposed regulation has adverse effect on small businesses, Section 2.2-4007.04 requires that such economic impact analyses include (i) an identification and estimate of the number of small businesses subject to the regulation; (ii) the projected reporting, recordkeeping, and other administrative costs required for small businesses to comply with the regulation, including the type of professional skills necessary for preparing required reports and other documents; (iii) a statement of the probable effect of the regulation on affected small businesses; and (iv) a description of any less intrusive or less costly alternative methods of achieving the purpose of the

regulation. The analysis presented above represents DPB's best estimate of these economic impacts.