



Economic Impact Analysis Virginia Department of Planning and Budget

4 VAC 25-35 – Certification Requirements for Mineral Miners
Department of Mines, Minerals and Energy
February 19, 2013

Summary of the Proposed Amendments to Regulation

The current regulations state that “The surface foreman shall oversee any preshift inspections of the plant that are performed by a cement plant examiner.” The Department of Mines, Minerals and Energy (DMME) proposes to replace “preshift inspections” with “examinations” in that sentence.

Result of Analysis

The benefits likely exceed the costs for all proposed changes.

Estimated Economic Impact

“Preshift inspections” is a term of art that DMME believes is overly rigid in this particular context. The proposed change in language will make the requirement consistent with other sections of the administrative code such as 4VAC25-35-75A and 4VAC25-40-130. The amendment will create a small savings in staff time and will not adversely affect safety. Thus, the proposed change creates a net benefit.

Businesses and Entities Affected

The one firm located in the Commonwealth that has a permitted mine site with a cement processing facility is affected by the proposed amendment. This firm is not a small business.

Localities Particularly Affected

The one firm affected by the proposed amendment is in Botetourt County.

Projected Impact on Employment

The proposed amendment does not affect employment.

Effects on the Use and Value of Private Property

The proposed amendment will create a small savings in staff time for the affected firm.

Small Businesses: Costs and Other Effects

The proposed amendment does not affect small businesses.

Small Businesses: Alternative Method that Minimizes Adverse Impact

The proposed amendment does not affect small businesses.

Real Estate Development Costs

The proposed amendment does not 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, a determination of the public benefit, 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 an 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.