



## **Economic Impact Analysis Virginia Department of Planning and Budget**

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### **4 VAC 25-10 – Public Participation Guidelines**

#### **Department of Mines, Minerals, and Energy**

April 24, 2003

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The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with Section 2.2-4007.G of the Administrative Process Act and Executive Order Number 21 (02). Section 2.2-4007.G 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. The analysis presented below represents DPB's best estimate of these economic impacts.

### **Summary of the Proposed Regulation**

The General Assembly mandates in §2.2-4007 of the Code of Virginia that all agencies adopt public participation guidelines in order to solicit the input of interested parties in the formulation and development of regulations.

The proposed regulation amends the public participation guidelines that govern how the Department of Mines, Minerals, and Energy (DMME), the Virginia Gas and Oil Board, the Board of Coal Mining Examiners, and the Board of Mineral Mining Examiners respond to petitions for rule-making, maintain a regulatory mailing list, notify and include interested individuals in the regulatory development process, and comply with requirements for adopting regulations.

The proposed regulation expands the ways DMME can notify and include interested parties in the regulatory developments process to include the use of email and the Regulatory Town Hall website as a means for interested parties to receive electronic notices of regulatory

actions. The proposed regulation also incorporates amendments to the Code of Virginia, removes redundant language, makes corrections, and clarifies aspects of the existing regulation.

## **Estimated Economic Impact**

The proposed regulation amends the existing regulation to include email and the internet as ways of keeping interested parties abreast of developments in the regulatory process. Currently, the regulation only requires that DMME maintain a mailing list of individuals and organizations that have expressed an interest in commenting on regulatory actions. The proposed regulation expands this requirement to include the maintenance of lists containing the email addresses of interested parties and the use of email in notifying interested parties of regulatory developments. The regulation also incorporates the use of Virginia's Regulatory Town Hall website in disseminating information. It requires that DMME post the Notice of Intended Regulatory Action on the Town Hall website. It also requires that DMME submit any proposed regulations to the Town Hall website for a public comment period of at least 60 days. Interested parties can then visit the town hall website and/or sign up to receive electronic notices of regulatory actions in order to keep up with any developments.

The proposed change is not likely to have a significant economic impact. The use of email and the town hall website in notifying and keeping interested parties posted about regulatory developments has been done for several years. The proposed change is intended to formalize current practice. Some cost savings may result from the change as interested parties who request to be notified via email will no longer receive notifications from DMME through regular mail. Moreover, to the extent that the proposed change makes more people aware of the use of email and the internet in keeping track of regulatory developments, it may facilitate public participation and have a small positive economic impact.

## **Businesses and Entities Affected**

The proposed regulation may affect some individuals and businesses with an interest in DMME regulations. To the extent that the regulation makes these individuals and businesses more aware of the use of email and the Regulatory Town Hall website in keeping up-to-date with regulatory developments, it is likely to increase public participation and have a small positive economic impact.

## **Localities Particularly Affected**

The proposed regulation affects all localities in the Commonwealth. Localities dependent on the mineral extraction operations will be particularly affected.

## **Projected Impact on Employment**

The proposed regulation is not likely to have a significant impact on employment.

## **Effects on the Use and Value of Private Property**

Improved flow of information and increased public participation will allow DMME to develop regulations that better reflect the views of all affected parties. To that extent the proposed regulation may raise asset values of businesses involved in the mineral extraction operations.