

State Mining and Geology Board (SMGB)

4. (a) Financial Assurance Cost Estimate (FACE) Appeals (PRC §2770(e) – (g))

FACE Appeals Rulemaking Timeline			
Action		Responsibility	Due Date
1	Pre-Rulemaking Comment Period	SMGB, DMR	June 7 – July 6, 2018
2	Pre-Rulemaking Activity	SMGB, DMR	June 14, 2018 SMGB Mtg.
3	Prepare staff report outlining need for the proposed regulatory change.	SMGB, DMR	September 7, 2018
4	Prepare NOPRA, ISOR, form 399 (economic impact) and initial proposed language.	SMGB, DMR	September 7, 2018
5	Present initial rulemaking package to SMGB.	SMGB, DMR	September 13, 2018 SMGB Mtg.
6	Submit initial package to OAL.	SMGB, DMR	September 18, 2018
7a	Initiate 45-day public comment period.	SMGB, DMR	September 28, 2018
7b	Post required documents to website & distribute Public Notice.	SMGB, DMR	September 28, 2018
8	Close of 45-day public comment period.	SMGB, DMR	November 12, 2018
9	Public comment hearing (If Requested by Public).	SMGB, DMR	TBD
10	Post revised proposed language to website/distribute 15-day Public Notice (If needed).	SMGB, DMR	TBD
11	Summarize, categorize, and respond to public comments.	SMGB, DMR	TBD
12	Finalize rulemaking package.	SMGB, DMR	TBD
13	Present final package to SMGB for adoption.	SMGB, DMR	TBD
14	Submit final rulemaking package to OAL.	SMGB	TBD
15	Review of final package. If approved, filed with Secretary of State.	OAL	TBD
	Amended Regulation Effective.		TBD

(rev. 8/22/18) *dates subject to change

Highlighted Text indicates SMGB action item requiring 5 affirmative votes.

DMR = Division of Mine Reclamation

OAL = Office of Administrative Law