

BEFORE THE CORPORATION COMMISSION OF OKLAHOMA

COURT CLERK'S OFFICE - OKC
CORPORATION COMMISSION
OF OKLAHOMA

IN THE MATTER OF A PERMANENT)
RULEMAKING OF THE)
OKLAHOMA CORPORATION)
COMMISSION, AMENDING)
OAC 165:20, GAS AND HAZARDOUS)
LIQUID PIPELINE SAFETY)

CAUSE NO. RM 201600021

RULE IMPACT STATEMENT

Pursuant to Title 75, Section 303(D) of the Oklahoma Administrative Procedures Act, the Transportation Division of the Oklahoma Corporation Commission ("Commission") submits the following Rule Impact Statement for its proposed rules regarding Title 165, Chapter 20 of the Oklahoma Administrative Code ("OAC").

I. Brief description of the purpose of the proposed rules:

The purpose of the proposed rules is to update the adoption dates of the Code of Federal Regulations for both Parts 192 and 195, and amend the maximum fine amounts of the rules to reference the recently updated statutory fine amounts.

II. Description of classes of persons most likely to be affected by the proposed rules, including classes that will bear costs of the proposed rules, and any information on cost impacts received by the agency from private or public entities:

Those most likely to be affected by the proposed rules are pipeline operators who are subject to the Commission's pipeline safety authority.

III. Classes of persons who will benefit from the proposed rules:

Those benefitting from the proposed rules are pipeline operators who are subject to the Commission's pipeline safety authority.

IV. Description of the probable economic impact of the proposed rules upon affected classes of persons or political subdivisions, including a listing of all fee changes and justification for each fee change:

It is the Commission staff's opinion that the proposed rules will not have any economic impact, as pipeline operators are already subject to the Code of Federal Regulations and the statutory maximum fines being adopted by reference.

V. Probable costs and benefits to the agency and to any other agency of the implementation and enforcement of the proposed rules, the source of revenue to be used for implementation and enforcement of the proposed rules, and any anticipated effect on state revenues:

The proposed rules are not expected to place any additional costs upon the Commission, as such rules will be implemented and enforced by the Commission through its existing resources and personnel.

VI. Determination of whether implementation of the proposed rules will have an economic impact on any political subdivisions or require their cooperation in implementing or enforcing the rules:

Implementation and enforcement of the proposed rules will not have an economic impact on any political subdivisions or require their cooperation in implementing or enforcing the rules.

VII. Determination of whether implementation of the proposed rules may have an adverse economic effect on small business as provided by the Oklahoma Small Business Regulatory Flexibility Act:

It is the Commission staff's opinion that the proposed rules will not have an adverse economic effect on small business. Pipeline operators impacted by the rule amendments will benefit from the efficiencies derived from the amendments. In its Notice of Proposed Rulemaking, the Commission invited business entities to submit input regarding the potential impact of the proposed rules.

VIII. Explanation of the measures the agency has taken to minimize compliance costs and a determination of whether there are less costly or non-regulatory methods or less intrusive methods for achieving the purpose of the proposed rules:

The proposed rules do not increase compliance costs, and there are no non-regulatory methods or less intrusive methods for achieving the purpose of the proposed rules.

IX. Determination of the effect of the proposed rules on the public health, safety and environment and, if the proposed rules are designed to reduce significant risks to the public health, safety and environment, an explanation of the nature of the risk and to what extent the proposed rules will reduce the risk:

It is anticipated that the proposed rules will not have an adverse effect on the public health, safety and the environment.

X. Determination of any detrimental effect on the public health, safety and environment if the proposed rules are not implemented:

A detrimental effect on pipeline operations will occur by the confusion of antiquated rules that conflict with state statute and the Code of Federal Regulations.

XI. Date of preparation of Rule Impact Statement:

This Rule Impact Statement was prepared on the 12th day of January, 2017.

Prepared by:

A handwritten signature in black ink, appearing to read 'M. Willingham', with a long, sweeping horizontal stroke extending to the right.

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