



PROGRAMS

ADMINISTRATION
GAS AND OIL
GEOLOGY AND MINERAL
RESOURCES
MINED LAND REPURPOSING
MINERAL MINING
COAL MINE SAFETY
OFFSHORE WIND
STATE ENERGY OFFICE

COMMONWEALTH OF VIRGINIA

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TO: Office of Regulatory Management

THROUGH: Glenn Davis, Director, Virginia Department of Energy

FROM: Larry Corkey, Manager, Policy and Planning, Virginia Department of Energy

DATE: 10/14/2025

SUBJECT: Virginia Energy's Unified Regulatory Plan (URP) for 2025-2026

Attached is Virginia Energy's Unified Regulatory Plan (URP) for 2025-2026.

**UNIFIED REGULATORY PLAN OF
THE DEPARTMENT OF ENERGY
FOR THE STATE FISCAL YEAR 2026**

PREPARED October 14, 2025

DESCRIPTION OF AGENCY:

The Department of Energy is authorized to promulgate regulations necessary or incidental to the performance of duties or execution of powers conferred under Title 45.2 of the Code of Virginia in the chapters and articles indicated. Such regulations may be promulgated by the department, the Chief of the Division of Mines, the Virginia Gas and Oil Board or the Director, as appropriate, or with the approval of the director, may be promulgated by any division of the department with respect to matters assigned to that division. Code of Virginia, Title 45.2, Chapters 1, 5, 7, 8, 9, 10, 11, 12, 14, 15, 16 and 20.

DESCRIPTION OF BOARDS:**The Gas & Oil Board**

Production of gas and oil resources is governed by the Virginia Gas and Oil Board (VGOB). The purpose of VGOB is to foster, encourage, and promote the safe and efficient exploration for and development, production, and utilization of gas and oil resources.

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Action/Stage or Guidance Document Forum ID (if available)	
Not Available	
Title of Proposed Regulatory Action or Guidance Document Regulatory action to reflect updated Code of Virginia related to Mineral Mines Farm Pond Construction or Expansion (4VAC25-31-70)	
Brief Overview Recent legislation passed during the 2025 legislative session is the impetus for this regulatory action. HB1887/SB969 amends Code of Virginia to update § 45.2-1200 & § 45.2-1101 regarding the construction or expansion of farm ponds, increasing the farm pond construction or expansion beyond a one-time occurrence and extends the required completion time from 6 months to 1 year. This action aims to update the Admin Code of Virginia to match the updated Code of Virginia language.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☒ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☒ Exempt Action ☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☐ Discretionary Action
Deregulatory Component	This regulatory action is updating the Virginia Admin Code to reflect updates to the Code of Virginia.
Expected Date	August 30, 2025

Action/Stage or Guidance Document Forum ID (if available)	
Not Available	
Title of Proposed Regulatory Action or Guidance Document Regulatory action to reflect updated Code of Virginia related to the Mineral Mine Safety Act's qualification requirements for mineral mine inspectors (4VAC25-40).	
Brief Overview Recent legislation passed during the 2025 legislative session is the impetus for this regulatory action. HB1887/SB969 amends Code of Virginia to update § 45.2-1109 & § 45.2-1119 regarding general qualification of mine inspectors and renewal of mineral mine inspector certificates. This action aims to update the Admin Code of Virginia to match the updated Code of Virginia language.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☒ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☒ Exempt Action ☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☐ Discretionary Action
Deregulatory Component	This regulatory action is updating the Virginia Admin Code to reflect updates to the Code of Virginia.
Expected Date	August 30, 2025

Action/Stage or Guidance Document Forum ID (if available)	
Fast-Track [Action 6584] - <i>At Attorney General's Office</i> [Stage 10484]	
Title of Proposed Regulatory Action or Guidance Document Regulatory action to reflect updated reclamation plan to match practice of liens on land reclaimed (4 VAC25-130-882)	
Brief Overview Recent review of the State Reclamation Plan by OSMRE recognized outdated language not reflecting current practices or federal guidance under 4VAC25-130-882 . Federal SMCRA guidance under 30 CFR 882 directs that no lien be placed on property of surface owners who did not consent to participate in reclamation work. Further review of the State Reclamation Plan found that 4VAC25-130-882 misaligns with current agency practices, which does not place liens on properties that have been entered to address environmental issues related to AML. The review of the State Reclamation Plan and recognition of misaligned language prompted the Virginia Department of Energy to amend 4VAC25-13-882 to reflect Federal Guidelines and current practices.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☒ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary Action
Deregulatory Component	This fast-track regulation will further Virginia Energy's initiative to update and clarify language related to agency practices. Additionally, this regulatory action will ensure alignment with federal guidance.
Expected Date	August 30, 2025

Action/Stage or Guidance Document Forum ID (if available)	
Fast-Track [Action 6624] - <i>At Attorney General's Office</i> [Stage 10539]	
Title of Proposed Regulatory Action or Guidance Document Regulatory action to update regulatory code related to towing equipment (4VAC25-40-1670)	
Brief Overview Executive Order No 19 (2022) directed agencies to review regulatory guidance document in an effort to reduce regulatory burden and streamline regulatory processes. The Department of Energy reviewed regulatory guidance related to Safety and Health Regulations for Mineral Mining and found towing guidance unaligned with federal guidance and unnecessarily burdensome. Current language requires use of a tow bar and safety chain to tow heavy equipment that is not being operated under its own power. Federal guidance from MSHA 30 CFR 56.14209.(a) lessens regulatory burden for mine operators by providing additional pathways to compliance without threatening safety. This regulatory action would update language to reflect federal guidance and reduces regulatory burdens. Updated language would reflect federal regulatory documents by providing the option for "other effective and safe means of control".	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☒ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary Action
Deregulatory Component	This fast-track regulation will further Virginia Energy's safety and health regulations for mineral mining by providing alternative pathways to compliance.
Expected Date	August 30, 2025

Action/Stage or Guidance Document Forum ID (if available)	
Not Available	
Title of Proposed Regulatory Action or Guidance Document Departmental Review of Guidance Documents Related to Mineral Mining	
Brief Overview The agency is working with the Department of Mineral Mining team to review and evaluate department guidance documents to ensure documents on Town Hall are relevant, current, and definitionally guidance documents.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☒ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary Action
Deregulatory Component	This action will help to reduce regulatory burden by ensuring guidance documents are current. Additionally, this action will help reduce regulatory confusion.
Expected Date	April 30, 2026

Action/Stage or Guidance Document Forum ID (if available)	
Not Available	
Title of Proposed Regulatory Action or Guidance Document Update Coal Mine Safety Guidelines for Application of Regulatory Standards Manual	
Brief Overview This is a revision to existing guidance document "Coal Mine Safety Guidelines for Application of the Regulatory Standards Manual" that is intended to promote improved performance and effectiveness in the administration and application of the Coal Mine Safety Laws of Virginia. § 45.2-103 of the Code of Virginia requires the department to adopt regulations necessary or incidental to the performance of its duties and the execution of its powers. A review of this guidance document identified several opportunities to reduce regulatory burdens related to worker certification and electrical equipment requirements.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☒ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary Action
Deregulatory Component	This is a guidance document developed by and for Coal Mine Safety (CMS) personnel. Updates include streamlining processes, removing obsolete language, and reducing regulatory burdens by providing alternative pathways to compliance.
Expected Date	September 30, 2025

Action/Stage or Guidance Document Forum ID (if available)	
Not Available	
Title of Proposed Regulatory Action or Guidance Document Periodic Review of 4VAC25-11—Public Participation Guidelines	
Brief Overview Pursuant to Executive Order 19 (2022) and §§ 2.2-4007.1 and 2.2-4017 of the Code of Virginia, this regulation will undergo a periodic review. The purpose of this review is to determine whether this regulation should be repealed, amended, or retained in its current form.	
Regulatory Stage (check one box)	☐ NOIRA ☒ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary Action
Deregulatory Component	Department of Energy will gather public comments to identify potential changes to the regulations that could reduce regulatory burden without diminishing health and safety protections.
Expected Date	October 2025

Action/Stage or Guidance Document Forum ID (if available)
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Not Available	
Title of Proposed Regulatory Action or Guidance Document Periodic Review of 4VAC25-60—Rules and Regulations Governing the Installation and Use of Automated Temporary Roof Support Systems	
Brief Overview Pursuant to Executive Order 19 (2022) and §§ 2.2-4007.1 and 2.2-4017 of the Code of Virginia, this regulation will undergo a periodic review. The purpose of this review is to determine whether this regulation should be repealed, amended, or retained in its current form.	
Regulatory Stage (check one box)	☐ NOIRA ☒ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☒ Exempt Action ☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☐ Discretionary Action
Deregulatory Component	Department of Energy will gather public comments to identify potential changes to the regulations that could reduce regulatory burden without diminishing health and safety protections.
Expected Date	October 2025

Action/Stage or Guidance Document Forum ID (if available) Not Available

Title of Proposed Regulatory Action or Guidance Document Periodic Review of 4VAC25-70—Rules and Regulations Governing Disruption of Communications in Mines	
Brief Overview Pursuant to Executive Order 19 (2022) and §§ 2.2-4007.1 and 2.2-4017 of the Code of Virginia, this regulation will undergo a periodic review. The purpose of this review is to determine whether this regulation should be repealed, amended, or retained in its current form.	
Regulatory Stage (check one box)	☐ NOIRA ☒ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☒ Exempt Action ☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☐ Discretionary Action
Deregulatory Component	Department of Energy will gather public comments to identify potential changes to the regulations that could reduce regulatory burden without diminishing health and safety protections.
Expected Date	October 2025

Action/Stage or Guidance Document Forum ID (if available) Not Available

Title of Proposed Regulatory Action or Guidance Document Periodic Review of 4VAC25-90—Rules and Regulations Governing the Use of Diesel Powered Equipment in Underground Coal Mines	
Brief Overview Pursuant to Executive Order 19 (2022) and §§ 2.2-4007.1 and 2.2-4017 of the Code of Virginia, this regulation will undergo a periodic review. The purpose of this review is to determine whether this regulation should be repealed, amended, or retained in its current form.	
Regulatory Stage (check one box)	☐ NOIRA ☒ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☒ Exempt Action ☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☐ Discretionary Action
Deregulatory Component	Department of Energy will gather public comments to identify potential changes to the regulations that could reduce regulatory burden without diminishing health and safety protections.
Expected Date	October 2025

Action/Stage or Guidance Document Forum ID (if available) Not Available

Title of Proposed Regulatory Action or Guidance Document Periodic Review of 4VAC101—Regulation Governing Vertical Ventilation Holes and Mining Near Gas and Oil Wells	
Brief Overview Pursuant to Executive Order 19 (2022) and §§ 2.2-4007.1 and 2.2-4017 of the Code of Virginia, this regulation will undergo a periodic review. The purpose of this review is to determine whether this regulation should be repealed, amended, or retained in its current form.	
Regulatory Stage (check one box)	☐ NOIRA ☒ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☒ Exempt Action ☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☐ Discretionary Action
Deregulatory Component	Department of Energy will gather public comments to identify potential changes to the regulations that could reduce regulatory burden without diminishing health and safety protections.
Expected Date	October 2025

Action/Stage or Guidance Document Forum ID (if available)
Not Available
Title of Proposed Regulatory Action or Guidance Document

Periodic Review of 4VAC25-110—Rules and Regulations Governing Blasting in Surface Mining Operations	
Brief Overview Pursuant to Executive Order 19 (2022) and §§ 2.2-4007.1 and 2.2-4017 of the Code of Virginia, this regulation will undergo a periodic review. The purpose of this review is to determine whether this regulation should be repealed, amended, or retained in its current form.	
Regulatory Stage (check one box)	☐ NOIRA ☒ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☒ Exempt Action ☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☐ Discretionary Action
Deregulatory Component	Department of Energy will gather public comments to identify potential changes to the regulations that could reduce regulatory burden without diminishing health and safety protections.
Expected Date	October 2025

Action/Stage or Guidance Document Forum ID (if available) Not Available
Title of Proposed Regulatory Action or Guidance Document

Periodic Review of 4VAC25-120—Rules and Regulations Governing Installation and Use of Cabs and Canopies	
Brief Overview Pursuant to Executive Order 19 (2022) and §§ 2.2-4007.1 and 2.2-4017 of the Code of Virginia, this regulation will undergo a periodic review. The purpose of this review is to determine whether this regulation should be repealed, amended, or retained in its current form.	
Regulatory Stage (check one box)	☐ NOIRA ☒ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☒ Exempt Action ☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☐ Discretionary Action
Deregulatory Component	Department of Energy will gather public comments to identify potential changes to the regulations that could reduce regulatory burden without diminishing health and safety protections.
Expected Date	October 2025

Action/Stage or Guidance Document Forum ID (if available) Not Available

Title of Proposed Regulatory Action or Guidance Document Periodic Review of 4VAC25-145—Regulations on the Eligibility of Certain Mining Operators to Perform Reclamation Projects	
Brief Overview Pursuant to Executive Order 19 (2022) and §§ 2.2-4007.1 and 2.2-4017 of the Code of Virginia, this regulation will undergo a periodic review. The purpose of this review is to determine whether this regulation should be repealed, amended, or retained in its current form.	
Regulatory Stage (check one box)	☐ NOIRA ☒ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☒ Exempt Action ☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☐ Discretionary Action
Deregulatory Component	Department of Energy will gather public comments to identify potential changes to the regulations that could reduce regulatory burden without diminishing health and safety protections.
Expected Date	October 2025

Action/Stage or Guidance Document Forum ID (if available) Not Available

Title of Proposed Regulatory Action or Guidance Document Review Virginia Department of Energy Regulations	
Brief Overview The Department of Energy is authorized to promulgate regulations necessary or incidental to the performance of duties or execution of powers conferred under Title 45.2 of the Code of Virginia in the chapters and articles indicated. Such regulations may be promulgated by the department, the Chief of the Division of Mines, the Virginia Gas and Oil Board or the Director, as appropriate, or with the approval of the director, may be promulgated by any division of the department with respect to matters assigned to that division. Code of Virginia, Title 45.2, Chapters 1, 5, 7, 8, 9, 10, 11, 12, 14, 15, 16 and 20. Under this authority and prompted by Executive Order 19, requiring agencies to reach a goal of 25% reduction in regulatory requirement, the Department of Energy plans to review relevant guidance documents and identify opportunities to streamline processes and reduce regulatory burdens.	
Regulatory Stage (check one box)	☐ NOIRA ☒ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☒ Exempt Action ☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☐ Discretionary Action
Deregulatory Component	Department of Energy plans to reduce requirements identify more guidance documents and other resources that can be amended or eliminated to further reduce regulatory burden during FY26.
Expected Date	Ongoing