

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

SENATE BILL 1979

By: Logan

AS INTRODUCED

An Act relating to the Department of Mines; creating the Mining and Blasting Residential Protection Act; providing short title; defining terms; establishing criteria for certain permit; requiring certain notification; stating applicability; authorizing promulgation of rules; requiring certain cessation; authorizing certain penalties; providing for noncodification; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

This act shall be known and may be cited as the "Mining and Blasting Residential Protection Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 9.2 of Title 45, unless there is created a duplication in numbering, reads as follows:

A. For the purposes of this section:

1 1. "Blasting operation" means the use of explosives associated
2 with mining pursuant to the provisions of Title 45 of the Oklahoma
3 Statutes and rules of the Department of Mines;

4 2. "Buffer zone" means the horizontal distance measured in a
5 straight line at the surface between a mining or blasting operation
6 and the boundary of a residence, residentially zoned property, or
7 protected structure;

8 3. "Mining operation" means mineral extraction and surface
9 mining;

10 4. "Protected structure" includes a:

- 11 a. church,
- 12 b. hospital,
- 13 c. licensed daycare facility,
- 14 d. public or private school,
- 15 e. nursing home or skilled nursing facility, and
- 16 f. residence not owned by the mining or blasting permit
17 holder;

18 5. "Residence" means a home occupied by the owner or a tenant
19 and not owned by a mining or blasting permit holder; and

20 6. "Residentially zoned property" means land zoned as AG-R, R-
21 3, any RES classification, or other similar classification for
22 residential use.

1 B. 1. A new mining permit or expansion shall not be authorized
2 for surface mining, excavation, or blasting within eight hundred
3 (800) feet of any residence or residentially zoned property.

4 2. A mining or blasting permit shall not be authorized for
5 mining or blasting operations within eight hundred (800) feet of any
6 protected structure.

7 3. The Department of Mines shall not issue a new permit or
8 approve an expansion unless the applicant demonstrates compliance
9 with paragraphs 1 and 2 of this subsection.

10 C. A mining operation permit shall include a:

11 1. Map identifying all residentially zoned properties and
12 protected structures within eight hundred (800) feet of the proposed
13 mining or blasting operation area; and

14 2. Clear depiction of the required eight-hundred-foot buffer
15 zone.

16 A blasting operation permit shall include the requirements in
17 paragraphs 1 and 2 of this subsection as well as a blasting plan
18 that demonstrates buffer zone compliance pursuant to rules
19 promulgated by the Department of Mines.

20 D. 1. In order to obtain a permit for a mining or blasting
21 operation, the applicant shall post signs and mail notices, pursuant
22 to paragraph 2 of this subsection, of the proposed mining or
23 blasting operation. The signs and letters shall be required for
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1 initial zoning, rezoning, special exception, conditional use, or
2 similar requests and for final mining permits. The signs shall:

- 3 a. be posted along all public roads adjacent to the
4 proposed permit area,
- 5 b. be no less than four (4) square feet in size with
6 lettering at least two (2) inches tall, and
- 7 c. state the name of the applicant, the type of
8 application, and contact information for the
9 Department of Mines for the purposes of public comment
10 inquiries.

11 2. Notices shall be sent by mail to any address that lies
12 within the buffer zone of intent to make an application for
13 rezoning, special exception, or other application to the Department
14 of Mines forty-five (45) days in advance of such application
15 submission.

16 3. The provisions of this subsection shall not apply to current
17 mining operations with valid permits unless the applicant is filing
18 an amendment or expansion request.

19 E. The Department of Mines shall promulgate rules to effectuate
20 the provisions of this section. If an applicant operates within the
21 buffer zone without a permit as required by this section, the
22 Department shall issue a cessation order until compliance is
23 restored. Permit suspension or revocation and civil penalties may
24 be imposed for violations of this section.

SECTION 3. This act shall become effective November 1, 2026.

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