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INDEPENDENT REGULATORY REVIEW COMMISSION
333 MARKET STREET, 14TH FLOOR, HARRISBURG, PA 17101

November 4, 1999

Honorable James M. Seif, Chairman
Environmental Quality Board
Rachel Carson State Office Building
400 Market Street, 16th Floor
Harrisburg, PA 17105


Re: IRRC Regulation #7-332 (#1921)
Environmental Quality Board
Erosion and Sediment Control

Dear Chairman Seif:

The Independent Regulatory Review Commission approved the subject regulation at its November 4, 1999 public meeting. Our Order is enclosed and is available on our website at <http://www.irrc.state.pa.us>.

We appreciate the joint effort that went into producing a regulation that met the criteria and intent of the Regulatory Review Act.

Sincerely,


Alvin C. Bush
Vice Chairman

ACB:kgg
Enclosure
cc: Sharon Freeman
Barbara Sexton
Kenneth F. Murin

INDEPENDENT REGULATORY REVIEW COMMISSION

14th Floor, 333 Market Street
Harrisburg, PA 17101

Commissioners Voting:

Public Meeting Held November 4, 1999

John R. McGinley, Jr., Chairman, by proxy
Alvin C. Bush, Vice Chairman
Arthur Coccodrilli
John F. Mizner

Environmental Quality Board
Erosion and Sediment Control

Regulation No. 7-332

BY ORDER OF THE COMMISSION

On January 20, 1998, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Quality Board (EQB). This rulemaking amends 25 Pa. Code Chapter 102. The authority for this regulation is found in Sections 5 and 402 of the Clean Streams Law (35 P.S. §§ 691.5 and 691.402) and Section 11 of the Conservation District Law (3 P.S. § 859(2)). The proposed regulation was published in the February 7, 1998 *Pennsylvania Bulletin* with a 60-day public comment period. The final-form regulation was submitted to the Commission on October 5, 1999.

The amendments to Chapter 102 are part of the Department of Environmental Protection's Regulatory Basics Initiative. The amendments are intended to eliminate obsolete terms; simplify technical requirements for best management practices; update and clarify permit requirements; and integrate Pennsylvania's regulations with the current federal National Pollutant Discharge Elimination System (NPDES) permit requirements for stormwater discharges associated with construction activities.

We have reviewed this regulation and find it to be in the public interest. The regulation clarifies the erosion and sediment control planning and permitting requirements and is consistent with the federal NPDES requirements.

THEREFORE, IT IS ORDERED THAT:

1. Regulation No. 7-332 from the Environmental Quality Board, as submitted to the Commission on October 5, 1999, is approved; and
2. The Commission will transmit a copy of this Order to the Legislative Reference Bureau.


Alvin C. Bush, Vice Chairman

