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

September 9, 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 #7-331 (#1924)
Environmental Quality Board
Surface and Underground Coal Mining

Dear Chairman Seif:

The Independent Regulatory Review Commission approved the subject regulation at its September 9, 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,

A handwritten signature in cursive script, appearing to read "Alvin C. Bush".

Alvin C. Bush
Vice Chairman

ACB:cae
Enclosure
cc: Sharon Freeman
Barbara Sexton

INDEPENDENT REGULATORY REVIEW COMMISSION

14th Floor, 333 Market Street
Harrisburg, PA 17101

Commissioners Present:

Public Meeting Held September 9, 1999

Alvin C. Bush, Vice Chairman
Arthur Coccodrilli
Robert J. Harbison, III
John F. Mizner

Environmental Quality Board
Surface and Underground Coal Mining

Regulation No. 7-331

BY ORDER OF THE COMMISSION

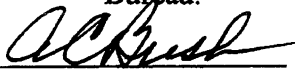
On February 2, 1998, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Quality Board. This rulemaking amends 25 Pa. Code Chapter 86. The authority for this regulation is Section 4.2(a) (52 P.S. § 1366.4b(a)) and Section 4.5 (52 P.S. §§ 1396.4e of the Surface Mining Conservation and Reclamation Act, Section 3.2(a) (52 P.S. § 30.53b(a)), and Section 6.1 (52 P.S. § 30.56a) of the Coal Refuse Disposal Control Act, Section 5 (35 P.S. § 691.5), Section 315 (h)-(o) (35 P.S. 315 (h)-(o)) of the Clean Streams Law and Section 120-A and 1930-A of the Administrative Code (71 P.S. §§ 510-20 and 510-30). The proposed regulation was published in the February 14, 1998 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on August 17, 1999.

The proposed regulation amends the general provisions for designating areas unsuitable for mining which were found to be more stringent than federal law. Changes were made in definitions for conformity with federal regulations and make clarity changes which include procedures and notification requirements and the addition of metric equivalent measures.

We have reviewed this regulation and find it to be in the public interest. The amendments are a result of the Regulatory Basics Initiative initiated by the Department of Environmental Protection in August of 1995 and are consistent with federal requirements.

THEREFORE, IT IS ORDERED THAT:

1. Regulation No. 7-331 from the Environmental Quality Board, as submitted to the Commission on August 17, 1999, is approved; and
2. The Commission will transmit a copy of this Order to the Legislative Reference Bureau.


Alvin C. Bush, Vice Chairman

