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

February 18, 1999

Charles F. Wynne, Director
Pennsylvania Emergency Management Agency
2605 Interstate Drive
P. O. Box 3321
Harrisburg, PA 17105

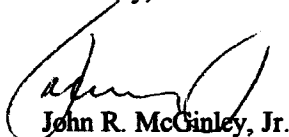
Re: IRRC Regulation #30-50 (#1955)
Pennsylvania Emergency Management Agency
Radiation Transportation Emergency Response Fund

Dear Mr. Wynne:

The Independent Regulatory Review Commission approved the subject regulation at its February 18, 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,


John R. McGinley, Jr.
Chairman

JRM:kcg
Enclosure
cc: Mark Goodwin

INDEPENDENT REGULATORY REVIEW COMMISSION

14th Floor, 333 Market Street
Harrisburg, PA 17101

Commissioners Present:

Public Meeting Held February 18, 1999

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

Pennsylvania Emergency Management Agency
Radiation Transportation Emergency Response Fund

Regulation No. 30-50

BY ORDER OF THE COMMISSION

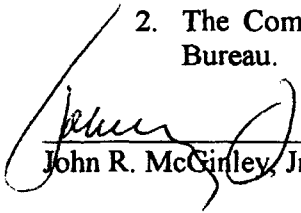
On June 9, 1998, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Pennsylvania Emergency Management Agency (PEMA). This rulemaking amends 4 Pa. Code Chapter 117. The authority for this regulation is Section 7313 of the Emergency Management Services Code (35 Pa.C.S.A. § 7313). The proposed regulation was published in the June 20, 1998 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was initially submitted to the Commission on November 16, 1998. The 20-day Committee review period was suspended by final adjournment of the General Assembly on November 30, 1998. Pursuant to Section 5.1(f) of the Regulatory Review Act (71 P.S. § 745.5a(f)), PEMA resubmitted this regulation on February 2, 1999.

This regulation streamlines the administration of the Radiation Transportation Emergency Response Fund (RTERF). Counties and local governments with an approved shipment route for spent nuclear fuel within five miles of their borders and certain state agencies may apply to PEMA for RTERF grants. These grants support emergency response programs for accidents involving the shipment of spent nuclear fuel. The revenue source for the RTERF is set forth in Subsection 402(c)(4) of the Radiation Protection Act (35 P.S. § 402(c)(4)).

We have reviewed this regulation and find it to be in the public interest. This regulation will streamline the processing and approval of grant payments to emergency response programs. It will reduce the time that recipients currently must wait for payments by several months.

THEREFORE, IT IS ORDERED THAT:

1. Regulation No. 30-50 from the Pennsylvania Emergency Management Agency, as submitted to the Commission on February 2, 1999, is approved; and
2. The Commission will transmit a copy of this Order to the Legislative Reference Bureau.



John R. McGinley, Jr., Chairman

