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

August 5, 1999

George J. Miller, Chairman
Environmental Hearing Board
Rachel Carson State Office Building
400 Market Street, 2nd Floor
Harrisburg, PA 17105

Re: IRRC Regulation #106-4 (#2005)
Environmental Hearing Board
Practice and Procedure

Dear Chairman Miller:

The Independent Regulatory Review Commission approved the subject regulation at its August 5, 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

JRM:kcg
Enclosure
cc: Kimberly A. Hafner

INDEPENDENT REGULATORY REVIEW COMMISSION

14th Floor, 333 Market Street
Harrisburg, PA 17101

Commissioners Present:

Public Meeting Held August 5, 1999

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

Environmental Hearing Board
Practice and Procedure

Regulation No. 106-4

BY ORDER OF THE COMMISSION

On February 16, 1999, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Hearing Board (EHB). This rulemaking amends 25 Pa. Code Chapter 1021. The authority for this regulation is contained in Section 5(c) of the Environmental Hearing Board Act (35 P.S. Section 7515(c)). The proposed regulation was published in the February 27, 1999 *Pennsylvania Bulletin*, with a 60-day public comment period. The final-form regulation was submitted to the Commission on July 2, 1999.


This rulemaking amends the EHB's practice and procedure rules. The EHB is responsible for hearing appeals relating to orders, permits, licenses or decisions of the Department of Environmental Protection (DEP).

The revisions amend a wide range of EHB procedures, clarify how the EHB currently operates, and repeal provisions that are no longer used. The amendments provide the regulated community, the DEP, and all other parties and persons with updated procedural rules relating to representing their interests before the EHB. The proposed changes are based on the recommendations of the EHB Rules Committee, a nine member advisory committee created by Section 5 of the Environmental Hearing Board Act.

We have reviewed this regulation and find it to be in the public interest. These amendments update and clarify the EHB's practice and procedure rules.

THEREFORE, IT IS ORDERED THAT:

1. Regulation No. 106-4 from the Environmental Hearing Board, as submitted to the Commission on July 2, 1999, is approved; and
2. The Commission will transmit a copy of this Order to the Legislative Reference Bureau.



Alvin C. Bush, Vice Chairman

