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ROBERT J. HARBISON, III
JOHN F. MIZNER, ESQ.
ROBERT E. NYCE, EXECUTIVE DIRECTOR
MARY S. WYATTE, CHIEF COUNSEL



PHONE: (717) 783-5417
FAX: (717) 783-2664
irrc@irrc.state.pa.us
<http://www.irrc.state.pa.us>

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

September 20, 2001

Honorable Samuel E. Hayes, Jr., Secretary
Department of Agriculture
211 Agriculture Building
2301 North Cameron Street
Harrisburg, PA 17110

Re: Regulation #2-134 (IRRC #2210)
Department of Agriculture
Fees - Pesticide Control Act

Dear Secretary Hayes:

The Independent Regulatory Review Commission approved your regulation on September 20, 2001. Our Order is enclosed and is available on our website at www.irrc.state.pa.us.

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

Sincerely,

A handwritten signature in cursive script that reads "R J Harbison III".

Robert J. Harbison, III
Acting Chairman
evp
Enclosure

cc: Honorable Raymond Bunt, Jr., Majority Chairman, House Agriculture and Rural Affairs Committee
Honorable Peter J. Daley, II, Democratic Chairman, House Agriculture and Rural Affairs Committee
Honorable Mike Waugh, Chairman, Senate Agriculture and Rural Affairs Committee
Honorable Michael A. O'Pake, Minority Chairman, Senate Agriculture and Rural Affairs Committee

**INDEPENDENT REGULATORY REVIEW COMMISSION
APPROVAL ORDER**

Commissioners Voting:

Public Meeting Held September 20, 2001

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

Regulation No. 2-134
Department of Agriculture
Fees - Pesticide Control Act

On August 21, 2001, the Independent Regulatory Review Commission (Commission) received this regulation from the Department of Agriculture (Department). This rulemaking amends 7 Pa. Code § 128.3. Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

This rulemaking increases four fees in the pesticide program. The Pesticide Control Act of 1973 requires that the program be self-sufficient. These fee increases will affect approximately 20,000 individuals and generate approximately \$591,000 in additional revenue.

We have determined this regulation is consistent with the statutory authority of the Department (3 P.S. § 111.57a) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

BY ORDER OF THE COMMISSION:

This regulation is approved.





Robert J. Harbison, III, Acting Chairman