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

May 9, 2002

Honorable George J. Miller, Chairman  
Environmental Hearing Board  
Rachel Carson State Office Building  
400 Market Street, 2nd Floor  
Harrisburg, PA 17101

Re: Regulation #106-6 (IRRC #2226)  
Environmental Hearing Board  
Practice and Procedure

Dear Chairman Miller:

The Independent Regulatory Review Commission approved your regulation on May 9, 2002. Our Order is enclosed and is available on our website at [www.irrc.state.pa.us](http://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, appearing to read "Alvin C. Bush".

Alvin C. Bush  
Vice Chairman  
wbg  
Enclosure

cc: Honorable Arthur D. Hershey, Majority Chairman, House Environmental Resources and Energy Committee  
Honorable Camille George, Democratic Chairman, House Environmental Resources and Energy Committee  
Honorable Mary Jo White, Chairman, Senate Environmental Resources and Energy Committee  
Honorable Raphael J. Musto, Minority Chairman, Senate Environmental Resources and Energy Committee

**INDEPENDENT REGULATORY REVIEW COMMISSION  
APPROVAL ORDER**

Commissioners Voting:

Public Meeting Held May 9, 2002

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

Regulation No. 106-6  
Environmental Hearing Board  
Practice and Procedure

On October 25, 2001, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Hearing Board (Board). This rulemaking amends 25 Pa. Code Chapter 1021. The proposed regulation was published in the November 10, 2001 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on April 2, 2002.

This regulation modifies a number of provisions to the Board's rules of practice and procedure. These include: adding a rule on withdrawal of appearance, a number of definitions that deal with electronic filing; authorizing electronic filing and service of specific legal documents; amending the rule on number of copies that need to be filed with the Board, the rules on reconsideration of interlocutory orders and the rules governing discovery; requiring that parties attach a proposed order to their motions and responses; and reorganizing the rules to make them more user-friendly.

We have determined this regulation is consistent with the statutory authority of the Board (35 PS §7515(c)) 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.



  
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Alvin C. Bush, Vice Chairman