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

October 24, 2002

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

Re: Regulation #106-7 (IRRC #2264)
Environmental Hearing Board
Practice and Procedure

Dear Chairman Miller:

The Independent Regulatory Review Commission approved your regulation today. 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, appearing to read "John R. McGinley, Jr.", is written over a printed name.

John R. McGinley, Jr.

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 October 24, 2002

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

Regulation No.106-7
Environmental Hearing Board
Practice and Procedure

On April 10, 2002, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Hearing Board (Board). This rulemaking amends 25 Pa. Code 1021. The proposed regulation was published in the April 20, 2002 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on September 26, 2002.

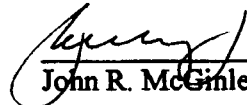
This regulation modifies provisions of the Board's rules of practice and procedure. These modifications include: amending the definition of "pleading"; a provision for signing documents filed with the Board; adding a provision for complaints filed against the Department; including timelines for discovery and termination of proceedings; and making miscellaneous corrections.

We have determined this regulation is consistent with the statutory authority of the Environmental Hearing Board (35 P.S. §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.





John R. McGinley, Jr., Chairman