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

November 21, 2002

Michael P. Sullivan, Executive Director
Underground Storage Tank Indemnification Board
901 North 7th Street, Suite 101
Harrisburg, PA 17120

Re: Regulation #11-216 (IRRC #2312)
Underground Storage Tank Indemnification Board
Fees and Collection Procedures

Dear Mr. Sullivan:

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 dark ink, appearing to read "John R. McGinley, Jr.", is written over a circular stamp.

John R. McGinley, Jr.

Chairman

sfh

Enclosure

cc: Honorable Nicholas A. Micozzie, Majority Chairman, House Insurance Committee
Honorable Anthony DeLuca, Democratic Chairman, House Insurance Committee
Honorable Edwin G. Holl, Chairman, Senate Banking and Insurance Committee
Honorable Jack Wagner, Minority Chairman, Senate Banking and Insurance Committee
Honorable M. Diane Koken, Commissioner

**INDEPENDENT REGULATORY REVIEW COMMISSION
APPROVAL ORDER**

Commissioners Voting:

Public Meeting Held November 21, 2002

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

Regulation No. 11-216
Underground Storage Tank
Indemnification Board
Fees and Collection Procedures

On October 25, 2002, the Independent Regulatory Review Commission (Commission) received this regulation from the Underground Storage Tank Indemnification Board (Board). This rulemaking amends 25 Pa. Code Chapter 977. Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

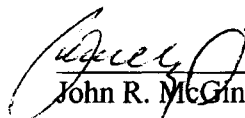
This final-omitted rulemaking increases the gallon fee from \$0.001 per gallon to \$0.01; the capacity fee from \$0.02 per gallon of capacity to \$0.075; and reflects the increase of the limits of liability prescribed by Act 99 of 2001. The fee increases are needed to ensure the solvency of the Underground Storage Tank Indemnification Fund based on an actuarial analysis.

We have determined this regulation is consistent with the statutory authority of the Underground Storage Tank Indemnification Board (35 P.S. § 6021.705) 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