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

October 20, 2005

Honorable Stephen M. Schmerin, Secretary
Department of Labor and Industry
1700 Labor and Industry Building
Harrisburg, PA 17120

Re: Regulation #12-58 (IRRC #2443)
Department of Labor and Industry
Boiler and Unfired Pressure Vessel Regulations

Dear Secretary Schmerin:

The Independent Regulatory Review Commission approved the subject regulation today. Our order is enclosed and will be 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,

John R. McGinley Jr., Esq.

Chairman

sfh

Enclosure

cc: Honorable Joseph B. Scarnati, III, Chairman, Senate Labor and Industry Committee
Honorable Christine M. Tartaglione, Minority Chairman, Senate Labor and Industry Committee
Honorable Bob Allen, Majority Chairman, House Labor Relations Committee
Honorable Robert E. Belfanti, Jr., Democratic Chairman, House Labor Relations Committee

**INDEPENDENT REGULATORY REVIEW COMMISSION
APPROVAL ORDER**

Commissioners Voting:

Public Meeting Held October 20, 2005

John R. McGinley Jr., Esq., Chairman
Alvin C. Bush, Vice Chairman
Arthur Coccodrilli
John F. Mizner, Esq.
Murray Ufberg, Esq.

Regulation No. 12-58
Department of Labor and Industry
Boiler and Unfired Pressure Vessel
Regulations

On October 21, 2004, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Labor and Industry (Department). This rulemaking deletes Chapter 3 and adds Chapter 3a to Title 34 Pa. Code. The proposed regulation was published in the November 6, 2004 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on September 19, 2005.

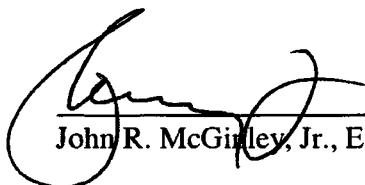
This regulation implements the Boiler and Unfired Pressure Vessel Law, Act 85 of 1998 (35 P.S. §§ 1331.1-1331.19). The regulation sets forth requirements and procedures for the construction, installation, maintenance, repair, inspection and operation of boilers and unfired pressure vessels.

We have determined this regulation is consistent with the statutory authority of the Department (35 P.S. § 1331.14) 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., Esq., Chairman