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

July 10, 2008

Honorable Kathleen A. McGinty, Chairperson
Environmental Quality Board
Rachel Carson State Office Building
400 Market Street, 16th Floor
Harrisburg, PA 17101

Re: Regulation #7-401 (IRRC #2557)
Environmental Quality Board
Coal Mine Reclamation Fees and Reclamation of Bond Forfeiture Sites

Dear Chairperson McGinty:

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,

Arthur Coccodrilli

Chairman

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Enclosure

cc: Honorable Mary Jo White, Chairman, Senate Environmental Resources and Energy Committee
Honorable Raphael J. Musto, Minority Chairman, Senate Environmental Resources and Energy Committee
Honorable Camille George, Majority Chairman, House Environmental Resources and Energy Committee
Honorable Scott E. Hutchinson, Minority Chairman, House Environmental Resources and Energy Committee

**INDEPENDENT REGULATORY REVIEW COMMISSION
APPROVAL ORDER**

Commissioners Voting:

Public Meeting Held July 10, 2008

Arthur Coccodrilli, Chairman
Alvin C. Bush, Vice Chairman
Karen A. Miller
John F. Mizner, Esq.

Regulation No. 7-401 (#2557)
Environmental Quality Board
Coal Mine Reclamation Fees and Reclamation
of Bond Forfeiture Sites

On July 19, 2006, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Quality Board (Board). This rulemaking amends 25 Pa. Code Chapter 86. The proposed regulation was published in the August 5, 2006 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on June 9, 2008.

This final-form rulemaking incorporates amendments necessary to bring Pennsylvania's regulatory program into conformance with federal standards for state coal mining regulatory programs. It amends existing provisions related to reclamation standards for coal mine sites where bonds have been forfeited and amends provisions related to reclamation fees, definitions and the Department of Environmental Protection's use of money for the reclamation of forfeited surface coal mine sites.

We have determined this regulation is consistent with the statutory authority of the Board (52 P.S. §§ 30.53(b), 1396.4b(a), 1396.4(d), 1396.4(d.2) and 1406.7; 35 P.S. § 691.5; and 71 P.S. § 510-20) 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.




Arthur Coccodrilli, Chairman