

ARTHUR COCCODRILLI, CHAIRMAN
ALVIN C. BUSH, VICE CHAIRMAN
DAVID J. DEVRIES, ESQ.
NANCY SABOL FRANTZ, ESQ.
JOHN F. MIZNER, ESQ.
KIM KAUFMAN, EXECUTIVE DIRECTOR
LESLIE A. LEWIS JOHNSON, CHIEF COUNSEL



PHONE: (717) 783-5417
FAX: (717) 783-2664
irrc@irrc.state.pa.us
<http://www.irrc.state.pa.us>

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

January 31, 2008

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

Re: Regulation #7-406 (IRRC #2587)
Environmental Quality Board
Notification of Proximity to Airports

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
wbg
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 January 31, 2008

Arthur Coccodrilli, Chairman
Alvin C. Bush, Vice Chairman
David J. DeVries, Esq.
John F. Mizner, Esq., by Phone

Regulation No. 7-406 (#2587)
Environmental Quality Board
Notification of Proximity to Airports

On December 7, 2006, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Quality Board. This rulemaking amends 25 Pa. Code Chapters 271, 279, 287 and 293. The proposed regulation was published in the December 23, 2006 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on December 13, 2007.


This regulation adds the term "military airports" to the definition of "airport" under existing waste facility regulations and adds a requirement for waste transfer facilities to notify "airports" of an anticipated expansion or a planned new facility if that facility will be within six miles of the "airport" runway.

We have determined this regulation is consistent with the statutory authority of the Environmental Quality Board (35 P.S. § 6018.105(a)) 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