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## INDEPENDENT REGULATORY REVIEW COMMISSION

333 MARKET STREET, 14TH FLOOR, HARRISBURG, PA 17101

August 6, 2009

Thomas W. Renwand, Acting Chairman  
Environmental Hearing Board  
400 Market Street, 2nd Floor  
Harrisburg, PA 17105

Re: Regulation #106-9 (IRRC #2732)  
Environmental Hearing Board  
Practice and Procedure

Dear Acting Chairman Renwand:

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](http://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, Majority 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 August 6, 2009

Arthur Coccodrilli, Chairman  
George D. Bedwick, Vice Chairman, by Phone  
S. David Fineman, Esq.  
Nancy Sabol Frantz, Esq., by Phone, Abstaining  
John F. Mizner, Esq.

Regulation No. 106-9 (#2732)  
Environmental Hearing Board  
Practice and Procedure

On October 28, 2008, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Hearing Board (Board). This rulemaking amends Pa. Code 25, Chapter 1021. The proposed regulation was published in the November 8, 2008 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on June 30, 2009.

This regulation amends Chapter 1021 of the Board's existing practice and procedure regulations to improve uniformity and clarity for parties litigating before the Board. The requirements pertain to service, prepayment of penalties, pleadings, default judgments, discovery and expedited hearings.

We have determined this regulation is consistent with the statutory authority of the Board 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