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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

October 22, 2009

Honorable John Hanger, Chairman
Coal and Clay Mine Subsidence Insurance Board
Rachael Carson State Office Building
400 Market Street, 16th Floor
Harrisburg, PA 17101

Re: Regulation #7-424 (IRRC #2737)
Coal and Clay Mine Subsidence Insurance Board
Mine Subsidence Fund

Dear Chairman Hanger:

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, 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 October 22, 2009

Arthur Coccodrilli, Chairman
George D. Bedwick, Vice Chairman
S. David Fineman, Esq.
Silvan B. Lutkewitte, III
John F. Mizner, Esq.

Regulation No. 7-424 (#2737)
Coal and Clay Mine Subsidence Insurance
Board
Mine Subsidence Fund

On December 10, 2008, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Coal and Clay Mine Subsidence Insurance Board (Board). This rulemaking amends 25 Pa. Code Chapter 401. The proposed regulation was published in the December 20, 2008 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on September 18, 2009.

This regulation clarifies existing provisions with regard to the issuance of Mine Subsidence Insurance provided by the Board.

We have determined this regulation is consistent with the statutory authority of the Board (52 P.S. § 3219) 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