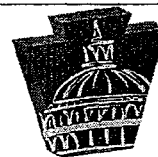


# Regulatory Analysis Form

(Completed by Promulgating Agency)



# IRRC

Independent Regulatory Review Commission

## SECTION I: PROFILE

(1) Agency:

Department of Community and Economic Development

(2) Agency Number: 4

Identification Number: 4-91

IRRC Number:

2776

(3) Short Title:

Industrialized Housing and Components

(4) PA Code Cite:

12 PA Code Chapter 145

(5) Agency Contacts (List Telephone Number, Address, Fax Number and Email Address):

Primary Contact: Mark Conte, Chief, Housing Standards Division, DCED

(717) 720-7416 (phone); (717) 214-5416 (fax)

Commonwealth Keystone Building, 4<sup>th</sup> Floor, 400 North Street, Harrisburg, PA 17120

[mconte@state.pa.us](mailto:mconte@state.pa.us)

Secondary Contact: Jill Busch, Deputy Chief Counsel, Office of Chief Counsel, DCED

(717) 720-7314 (phone); (717) 772-3103 (fax)

Commonwealth Keystone Building, 4<sup>th</sup> Floor, 400 North Street, Harrisburg, PA 17120

[jbusch@state.pa.us](mailto:jbusch@state.pa.us)

(6) Primary Contact for Public Comments (List Telephone Number, Address, Fax Number and Email Address) – Complete if different from #5:

(All Comments will appear on IRRC'S website)

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REVIEW COMMISSION

(7) Type of Rulemaking (check applicable box):

- Proposed Regulation
- Final Regulation
- Final Omitted Regulation
- Emergency Certification Regulation;
  - Certification by the Governor
  - Certification by the Attorney General

(8) Briefly explain the regulation in clear and nontechnical language. (100 words or less)

The purpose of the proposed regulation is to further clarify and strengthen the Department's and third party's role in monitoring the production of industrialized housing; to eliminate redundant requirements; to update definitions to conformance with current terminology; and to provide builders and code officials with documentation to clearly identify the manufacturer as approved to produce industrialized housing.

(9) Include a schedule for review of the regulation including:

- A. The date by which the agency must receive public comments: 08/31/09
- B. The date or dates on which public meetings or hearings will be held: 10/28/09
- C. The expected date of promulgation of the proposed regulation as a final-form regulation: 03/01/10
- D. The expected effective date of the final-form regulation: 05/01/10
- E. The date by which compliance with the final-form regulation will be required: 05/01/10
- F. The date by which required permits, licenses or other approvals must be obtained: N/A

(10) Provide the schedule for continual review of the regulation.

The regulations are monitored on a regular basis and updated as needed.

## SECTION II: STATEMENT OF NEED

(11) State the statutory authority for the regulation. Include specific statutory citation.

Section 5 of the act of May 11, 1972 (P.L. 286, No.70), known as the Industrialized Housing Act.

(12) Is the regulation mandated by any federal or state law or court order, or federal regulation? Are there any relevant state or federal court decisions? If yes, cite the specific law, case or regulation as well as, any deadlines for action.

No.

(13) State why the regulation is needed. Explain the compelling public interest that justifies the regulation. Describe who will benefit from the regulation. Quantify the benefits as completely as possible and approximate the number of people who will benefit.

The proposed regulatory changes eliminate redundant and cumbersome requirements and improve the information conduit to local code enforcers and consumers alike. These changes improve efficiency for both the industry and the Department and attempt to provide clarity to all parties involved.

Industrialized housing manufacturers (65 currently approved) will benefit as redundant requirements are eliminated and others are streamlined. Consumers (2000-2500 annually), lenders, local code and zoning officials in Pennsylvania who are often confused regarding the type of housing they are purchasing will benefit as these requirements will clearly identify the home as an industrialized home. Third party inspection and evaluation agencies will benefit as confusing certification requirements have been clarified and as the proposed changes require the Department to approve a manufacturers request to change third party agencies, these agencies can confidently perform their duties without fear of reprisal by the manufacturers. The Department will benefit with the reduction of paperwork associated with insignia reporting.

(14) If scientific data, studies, references are used to justify this regulation, please submit material with the regulatory package. Please provide full citation and/or links to internet source.

N/A

(15) Describe who and how many will be adversely affected by the regulation. How are they affected?

No one will be adversely affected by these regulations. All of the revisions have been drafted with significant input from all parties involved in the industrialized housing industry and municipal code officials.



	Current FY Year	FY +1 Year	FY +2 Year	FY +3 Year	FY +4 Year	FY +5 Year
<b>COSTS:</b>						
Regulated Community						
Local Government						
State Government						
<b>Total Costs</b>	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>REVENUE LOSSES:</b>						
Regulated Community						
Local Government						
State Government						
<b>Total Revenue Losses</b>	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

(20a) Provide the past three year expenditure history for programs affected by the regulation.

Program	FY -3	FY -2	FY -1	Current FY
Industrialized Housing	\$194,395	\$210,112	\$119,002	\$105,731 (as of 01/09)

(21) Explain how the benefits of the regulation outweigh any cost and adverse effects.

The proposed regulations do not impact the Department's costs, nor does it negatively impact the regulated community.

(22) Describe the communications with and input from the public and any advisory council/group in the development and drafting of the regulation. List the specific persons and/or groups who were involved.

The Department has discussed these proposals with a group of industry professionals (Industrialized Housing Advisory Group) and has incorporated their suggestions into these regulations. This group met twice to discuss these requirements. Additionally we have had discussions with the executive directors of two trade associations: The Mid-Atlantic Building System Council (MABSC) and The Pennsylvania Manufactured Housing Association (PMHA). The Department has also had discussions with the Pennsylvania Housing Research Center at Penn State, Pennsylvania Association of Building Code Officials as well as representatives of private building code enforcement agencies and organizations.

Non-regulatory alternatives have been considered and implemented when possible. The proposed regulation amends existing regulations. Any additional non-regulatory measures would not be appropriate.

(23) Include a description of any alternative regulatory provisions which have been considered and rejected and a statement that the least burdensome acceptable alternative has been selected.

N/A

(24) Are there any provisions that are more stringent than federal standards? If yes, identify the specific provisions and the compelling Pennsylvania interest that demands stronger regulations.

No.

(25) How does this regulation compare with those of other states? How will this affect Pennsylvania's ability to compete with other states?

The proposed regulation aligns the Pennsylvania program more closely to the programs of other states. The regulation removes barriers to expedite the placement of Industrialized housing in Pennsylvania.

(26) Will the regulation affect any other regulations of the promulgating agency or other state agencies? If yes, explain and provide specific citations.

The proposed regulation will amend 12 Pa. Code §145. It will not affect existing or proposed regulations of other agencies.

(27) Submit a statement of legal, accounting or consulting procedures and additional reporting, recordkeeping or other paperwork, including copies of forms or reports, which will be required for implementation of the regulation and an explanation of measures which have been taken to minimize these requirements.

The assignment of responsibility form that was required prior to shipment of every industrialized home is no longer required. Insignia reporting, which all agreed was cumbersome and confusing, has been streamlined consistent with the reporting required by other states. Existing requirement for Site Installation Inspection Report form to be submitted to the third party agencies was unenforceable. The new requirement is more logical and adds value to the process.

(28) Please list any special provisions which have been developed to meet the particular needs of affected groups or persons including, but not limited to, minorities, elderly, small businesses, and farmers.

N/A

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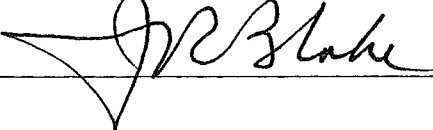
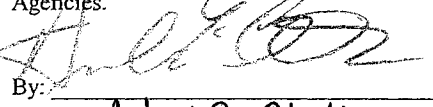
INDEPENDENT REGULATORY  
PERMISSION

CDL-1

FACE SHEET  
FOR FILING DOCUMENTS  
WITH THE LEGISLATIVE REFERENCE BUREAU

(Pursuant to Commonwealth Documents Law)

DO NOT WRITE IN THIS SPACE

<p>Copy below is hereby approved as to form and legality. Attorney General</p> <p>By: _____ (Deputy Attorney General)</p> <p>_____ Date of Approval</p> <p><input type="checkbox"/> Check if applicable. Copy not approved. Objections attached.</p>	<p>Copy below is hereby certified to be a true and correct copy of a document issued, prescribed or promulgated by:</p> <p>Department of Community and Economic Development (Agency)</p> <p>Document/Fiscal Note No. #4-91 Date of Adoption: _____</p> <p>By:  _____</p> <p>Title: <u>Executive Deputy Secretary</u></p>	<p>Copy below is hereby approved as to form and legality. Executive or Independent Agencies.</p> <p> By: _____ Andrew C. Clark</p> <p><b>JAN - 8 2010</b> _____ Date of Approval</p> <p>(Deputy General Counsel) (<del>Chief Counsel, Independent Agency</del>) (Strike inapplicable title)</p> <p><input type="checkbox"/> Check if applicable. No Attorney General approval or objection within 30 days after submission.</p>
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TITLE 12. COMMERCE, TRADE AND LOCAL GOVERNMENT

PART V. COMMUNITY AFFAIRS AND DEVELOPMENT

SUBPART C. COMMUNITY DEVELOPMENT AND HOUSING

CHAPTER 145. INDUSTRIAL HOUSING AND COMPONENTS

## PREAMBLE

By this order, the Department of Community and Economic Development, under the authority of Section 1651.5 of the act of May 11, 1972 (P.L.286, No. 70), known as the Industrialized Housing Act, hereby amends Title 12 of the Pennsylvania Code by revising Chapter 145. The purpose of the final regulation is to further clarify and strengthen the Department's and third party's role in monitoring the production of industrialized housing; to eliminate redundant requirements; to update definitions to conformance with current terminology; to provide builders and code officials with documentation to clearly identify the manufacturer as approved to produce industrialized housing

### Introduction

The Industrialized Housing Act established uniform State standards and procedures for the identification, inspection of manufacture and assembly, and certification of industrialized housing and those components forming integral parts of housing structures for use in any and all communities in the Commonwealth, and reciprocity in the recognition of certification of such industrialized housing and housing components, as standards for performance of industrialized housing and housing components are developed and adopted by the United States Department of Housing and Urban Development, other states, and the Commonwealth of Pennsylvania. The Industrialized Housing Act authorized the Department to promulgate and amend rules and regulations to interpret and make specific the provisions of the Act. The purpose of the final regulations is to update the regulations to bring them into conformance with current industry standards, codes and practices.

The Department received two comments. The first came from the Modular Building Systems Association, which indicated its support for the proposed regulation as drafted. The second came from the Independent Regulatory Review Commission, which queried why public hearings were not held in contradiction of section 5(a) of the Industrial Housing Act which provides "The department shall hold public hearings on rules and regulations proposed to be



promulgated, amended, or repealed, consistent with the provisions of the ... 'Administrative Agency Law' ... and the 'Commonwealth Documents Law'. Although it has not been the practice of the Department to hold such hearings, due to the lack of interest by the public in such regulations, the Department did advertise and hold a public meeting on the proposed regulations on October 28, 2009 at 10:00 a.m. in PUC Hearing Room 5 of the Commonwealth Keystone Building, 400 North Street, Harrisburg, PA 17120. No members of the public attended the meeting. No revisions were made as a result of the comments received.

Section 145.1 has been amended to: update the definitions of "Industrialized Housing" and "Residential Occupancy" to reflect the changes in the use and occupancy groups as defined by the International Building Code; remove the definitions of BOCA and CABO as both are obsolete terms; add a definition of the term "Notice of Approval" which has been included into these regulations at Section 145.82; and add a definition for the term "Site Installation Inspection Report form" that has been required by Section 145.91(e) but not defined.

Section 145.33 has been expanded to provide clarity in regards to excluding industrialized homes from the federal program for manufactured housing in an effort to assure that both consumers and local zoning and code officials are clear as to the type of housing product with which they are dealing.

Section 145.34 has been amended to reflect the current industry terminology for structural insulated panel which in the past was referred to as a sandwich panel.

Section 145.41(c) has been amended to eliminate the need for duplicative paper work. By addressing floor insulation in the Site Installation Inspection Report form (Section 145.91(e)), the Assignment of Responsibility form is no longer needed and eliminates a redundant paperwork burden from the manufacturers.

Section 145.47 has been amended to correct the address for the International Code Council; eliminate the reference to BOCA and CABO as these organizations no longer exist; and include information for the Pennsylvania Housing Research/Resource Center.

Section 145.54 has been amended to require the manufacturer to revise their Building System Approval Report monthly if needed. Current regulation requires this report be updated every two years, which severely undermines the ability to effectively monitor the quality process at the manufacturing facility.

Section 145.60 and 145.61 have been revised to reflect the current industry practice of placing required insignias of certification and inspection agency insignias under the kitchen sink.

Section 145.62 has been amended to require the applicable code and edition be included on the data plate. This will correct an omission from the current regulations as this information is always provided by the industry as a practical matter in spite of the omission in the regulations.

Section 145.63 has been revised to allow for electronic reporting to the Department and to achieve consistency with the reporting process established by other states.

Section 145.72(a) has been amended to provide clarity to the current factory certification process which is confusing and as a result misapplied. The revised process is consistent with the process used by other states. Additionally, the requirement for periodic inspection for storage and transportation methods and facilities has been clarified to require a monthly inspection.

Section 145.78(e) has been added to require a factory to seek approval from the Department prior to changing from one third party agency to another. This will allow third party agencies who provide inspection and evaluation services to the factories, to operate free from fear of losing a client as a result of enforcing these regulations.

Section 145.82 has been amended to require the Notice of Approval (see 145.1) be included with the other documentation needed to receive a building permit from the local enforcement agency. This Notice of Approval is similar to notices required by our neighboring states and serves to eliminate confusion regarding the type of housing being installed.

Section 145.91 has been amended to allow for electronic submission of the Site Installation Inspection Report form and require the manufacturer receive this form as opposed to the inspection agency. The inspection agency has no relationship with the person installing the industrialized home and as a result compliance with this requirement was weak.

Section 145.94 has been amended to recognize the industrialized housing components are more logically addressed as projects as opposed to individual pieces.

#### **Fiscal Impact**

- (a) Commonwealth. None.
- (b) Political Subdivisions. None.
- (c) Public. None.

#### **Paperwork**

The proposed regulation does not impose new or different paperwork requirements. The assignment of responsibility form that was required prior to shipment of every industrialized home is no longer required. Insignia reporting, which all agreed was cumbersome and confusing, has been streamlined consistent with the reporting required by other states. The existing requirement for the Site Installation Inspection Report form to be submitted to the third party agencies was unenforceable. The new requirement, that the form be returned to the manufacturer is more logical and adds value to the process.

### **Regulatory Review**

Under Section 5(a) of the Regulatory Review Act, the Act of June 30, 1989 (P.L. 73, No. 19), (71 P.S. §§745.1 - 745.15), the agency submitted a copy of the Notice of Proposed Rulemaking, published at 39 Pa. B. 4423, on August 1, 2009, to the Independent Regulatory Review Commission, the Chairperson of the House Urban Affairs Committee, and the Chairperson of the Senate Community, Economic and Recreational Development Committee. In compliance with Section 5(c), the agency also provided the Commission and the Committees with copies of all comments received, as well as other documentation.

In preparing this final form regulation the agency has considered all comments received from the Commission, the Committees and the public.

This final form regulation was [deemed] approved by the House Committee on (date) and [deemed] approved by the Senate Committee on (date). The Commission met on (date) and [deemed] approved the regulation in accordance with Section 5(c) of the Act.

### **Effective Date/Sunset Date**

(a) The regulation will become effective within sixty (60) days of final publication in the Pennsylvania Bulletin.

(b) The regulations are monitored on a regular basis and updated as needed.

### **Contact Person**

For an explanation of these regulations Mark Conte, Chief, Housing Standards Division, Department of Community and Economic Development, Commonwealth Keystone Building, 400 North Street, 4<sup>th</sup> Floor, Harrisburg, PA 17120, #717-720-7416.

### Findings and Order

The Department of Community and Economic Development finds:

- (1) That public notice of intention to adopt the regulations has been given under sections 201 and 202 of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. §§ 1201 and 1202).
- (2) That the regulation is necessary and appropriate for the Industrialized Housing Program.

The Department of Community and Economic Development, acting under the authorizing statute, orders:

- (1) That the regulations of Department of Community and Economic Development, 12 Pa. Code, are amended by revising Chapter 145 to read as set forth at 39 Pa. B. 4423, as amended by Annex A hereto.
- (2) That the Department of Community and Economic Development shall submit this order, 39 Pa. B. 4423 and Annex A to the Office of Attorney General and the Office of General Counsel for approval as to legality as required by law.
- (3) That this order shall take effect within sixty (60) days of publication in the Pennsylvania Bulletin.

By the Department of Community and Economic Development

George Cornelius,  
Secretary

ANNEX A

TITLE 12. COMMERCE, TRADE AND LOCAL GOVERNMENT  
PART V. COMMUNITY AFFAIRS AND DEVELOPMENT  
CHAPTER 145. INDUSTRIAL HOUSING AND COMPONENTS

GENERAL PROVISIONS

§ 145.1. Definitions.

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

*ANSI*—The American National Standards Institute.

*ASHRAE*—American Society of Heating, Refrigeration and Air Conditioning Engineers.

*Act*—The Industrialized Housing Act (35 P. S. § § 1651.1—1651.12).

*Approved*—Approved by the Department under this chapter.

[*BOCA*—The Building Officials and Code Administrators International, Incorporated.]

*Building system*—The industrialized housing or housing components described in the building system documentation.

*Building system documentation*—The plans, specifications and other documentations which together describe industrialized housing or a housing component, including variations and installation detail, consistent with § 145.41 or § 145.42 (relating to adoption of standards; and alternate standards).

[*CABO*—The Council of American Building Officials.]

\* \* \* \* \*

*Industrialized housing*—A structure designed primarily for residential occupancy[, and classified within Use Group R] or classified within Residential Group R in accordance with the standards adopted under § 145.41 (relating to adoption of standards) and which is wholly or in substantial part made, constructed, fabricated, formed or assembled in manufacturing facilities for installation or assembly and installation on the building site so that concealed parts or processes of manufacture cannot be inspected at the site

without disassembly, damage or destruction. The term does not include a structure or building classified as an institutional building or manufactured home, as defined by the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C.A. § § 5401—5426).

\* \* \* \* \*

*NFPA*—The National Fire Protection Association.

*Notice of approval*—A notice issued by the Department to each manufacturer of industrialized housing or housing components that indicates the approval of the manufacturer's building systems documentation, compliance assurance program, and their authority to receive and attach insignias of certification to industrialized housing or housing components.

*Person*—An individual or organized group of any character, including partnerships; corporations; other forms of associations; Federal, State and local instrumentalities, political subdivisions, or officers, including the Department when indicated by the context.

*Residential occupancy*—Occupancy of a structure or building, or part thereof, classified as a one or two family dwelling, townhouse or within [Use] Residential Group R in accordance with the standards adopted under § 145.41, by families, households or individuals for purposes of shelter and sleeping, without regard to the availability of cooking or dining facilities.

*Site installation Inspection Report form*—the element of the compliance control program that will identify the various aspects of construction that must be completed on site by the builder or contractor, that when properly completed will result in a conforming home.

\* \* \* \* \*

## SCOPE

\* \* \* \* \*

### § 145.33. Manufactured homes excluded.

(a) Manufactured homes which are subject to sections 604 and 625 of the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C.A. § § 5403 and 5424) and the regulations issued thereunder by the United States Department of Housing and Urban Development are not subject to this chapter.

(b) The following language must appear in the installation documentation provided with the industrialized home and the data plate.

The manufacturer certifies that the structure (insert serial number) is not a manufactured home subject to the provisions of the National Manufactured Housing Construction and Safety Standards Act and is

- (1) designed only for erection or installation on a site built permanent foundation
- (2) not designed to be moved once so erected or installed
- (3) designed and manufactured to comply with (insert applicable standards)
- (4) to the manufacturer's knowledge not intended to be used other than on a site-built permanent foundation.

**§ 145.34. Housing components.**

Housing components which are subject to this chapter are utility core units, closed panels[ and], sandwich panels and structural insulated panels.

\* \* \* \* \*

**STANDARDS**

**§ 145.41. Adoption of standards.**

(a) The following codes, which relate to the design, materials and method of construction of buildings, are adopted as the standards applicable to the industrialized housing and housing components for purposes of this chapter:

- (1) The ICC International Building Code.
- (2) The ICC International Mechanical Code.
- (3) The ICC International Plumbing Code.
- (4) The International Energy Conservation Code.
- (5) The National Electric Code (NFPA No. 70).
- (6) The ICC International Residential Code (for one and two family dwellings and town homes).

(b) Except as provided in § 145.43 (relating to amendment policy), the codes must be the latest edition. The effective date of all code changes must be in accordance with §§ 145.44 and 145.122(b) (relating to adoption and effective dates—code amendments; and effective date).

(c) Insulation technique and installation applicable to the floor or foundation wall is not always practical at the manufacturing facility. Industrialized-modular-housing builders or contractors may supply and install the required floor or foundation wall



insulation. If the floor or foundation wall insulation is not installed at the manufacturing facility, the manufacturer must indicate on the Site Installation Inspection Report referenced in §145.91(e) that the insulation must be installed on site. [If the builder or contractor supplies and installs the required floor or foundation wall insulation, an assignment of responsibility shall be used. The assignment of responsibility shall be signed by the authorized respective builder or contractor prior to the industrialized-modular-housing unit leaving the manufacturing plant. A manufacturer is required to retain the copies of the assignment of responsibility sheets in his files for inspection by the Department. Periodic inspections will be made on units with builder or contractor-installed floor or foundation wall insulation. Assignment of responsibility must be on forms provided by the Department which will conform to the following:

## ASSIGNMENT OF RESPONSIBILITY

To:

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I HEREBY ASSUME FULL RESPONSIBILITY FOR COMPLYING WITH THE FLOOR AND/OR FOUNDATION WALL INSULATION REQUIREMENTS AS MANDATED BY AMENDMENT TO THE PENNSYLVANIA DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT RULES AND REGULATIONS UNDER THE PENNSYLVANIA INDUSTRIALIZED HOUSING ACT OF MAY 11, 1972.

THIS ASSIGNMENT OF RESPONSIBILITY SHALL APPLY TO THE FOLLOWING HOME(S):

BUILDER NAME:

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CUSTOMER NAME:

---

MODEL:

---

SERIAL NO.:

---

---

Date:

---

AUTHORIZED SIGNATURE  
BUILDER, CONTRACTOR

(TO BE COMPLETED AND RETURNED TO THE ABOVE ADDRESS WITH SIGNED CONFIRMATION.)]

(d) The provisions of the codes in subsection (a) that relate specifically to the interpretation, administration and enforcement of the codes and to matters which are not within the authority conferred on the Department by the act and this chapter are not adopted under this chapter and are not applicable in the administration and enforcement of this chapter. If there is an inconsistency or conflict between the provisions of a code adopted under this chapter and this chapter, this chapter will prevail.

(e) Only listed and labeled materials listed for use as documented shall be used in all construction.

\* \* \* \* \*

**§ 145.47. Acquisition of adopted codes and amendments.**

(a) Copies of the ICC International Building Code, ICC International Residential Code, ICC International Mechanical Code and ICC International Plumbing Code adopted under § § 145.41 and 145.42 (relating to adoption of standards; and alternate standards) may be obtained from:

International Code Council  
[5203 Leesburg Pike] 500 New Jersey Avenue, NW  
[Suite 708] 6<sup>th</sup> Floor  
[Falls Church, Virginia 22041-3401] Washington, DC 20001-2070.

(b) Copies of the National Electrical Code, adopted under § § 145.41 and 145.42 (relating to adoption of standards; and alternate standards), including supplements, may be obtained from:

National Fire Protection Association  
Battery March Park  
Quincy, Massachusetts 02269

[(c) Copies of the 1993 BOCA National codes adopted in part under § 145.41, may be obtained from:

Building Officials and Code  
Administrators International, Inc.  
4051 West Flossmoor Road  
Country Club Hills, Illinois 60477

(d) Copies of other alternate standards adopted under § 145.42, including supplements, may be obtained from:

<i>Standard</i>	<i>Address</i>
CABO One and Two	Building Officials and Code

Family Administrators International, Inc.  
Dwelling Code 4051 West Flossmoor Road  
(1992 edition) Country Club Hills, Illinois 60477

(e)] (c) Copies of Pennsylvania's Alternative Residential Energy Provisions adopted under § 145.42, may be obtained from:

Pennsylvania Housing Research/Resource Center  
The Pennsylvania State University  
219 Sackett Building  
University Park, PA 16801

(d) The Department will provide, on request, a copy of currently applicable amendments of and additions to codes which are adopted under this chapter and are not published by NFPA, [BOCA,] ASHRAE or NCSBCS, as the case may be. The Department may charge a reproduction and handling fee not to exceed \$25, plus applicable postage, for each set of amendments and additions.

## CERTIFICATION

\* \* \* \* \*

### **§ 145.54. Building System Approval Report and Summary.**

At the time that an evaluation agency approves a set of building system documentation under § 145.52 (relating to approval of building system documentation) and the related compliance assurance program under § 145.57 (relating to approval of compliance assurance program), it shall prepare a Building System Approval Report (BSAR) and a Building System Approval Summary. The BSAR shall contain a list of the identification numbers of each sheet constituting the approved building system documentation, the Compliance Control Manual of the manufacturer, an Index of Code Compliance in the form specified by the Department for industrialized housing, a statement of the fire districts, if any, in which the industrialized housing can be installed, and the additional information relating to the building system documentation and the compliance assurance program as the evaluation agency deems necessary or as the Department may require. The Building System Approval Summary shall be prepared on a form furnished by the Department. The evaluation agency shall furnish to the Department and to the manufacturer one copy each of the BSAR and the Building System Approval Summary, clearly stating the date it is effective. The BSAR shall be revised [every 2 years to reflect changes made in the manufacturing process] monthly as needed.

\* \* \* \* \*

### **§ 145.60. Insignia of certification.**

(a) Certified industrialized housing constituting a single dwelling unit must bear insignia of certification for each module. The insignia of certification will be furnished by the Department to the manufacturer under the procedures of § 145.63 (relating to procedures for requesting, controlling and attaching insignia of certification). The manufacturer shall permanently attach the insignia of certification for each module adjacent to the data plate located in a visible location in a cabinet under the kitchen sink, or if this cabinet is not available, the location must be clearly identified on the Site Installation Inspection Report referenced in §145.91(e). Insignias may not be attached to doors or other easily removable features of the home. [in the utility room or utility area or other area identified in the building system documentation and in the Building System Approval Report as provided in § 145.62(a) (relating to data plates).] Each insignia of certification must bear an insignia serial number furnished by the Department and contain the following language:

**INSIGNIA OF CERTIFICATION FOR INDUSTRIALIZED HOUSING  
Serial No.**

This insignia certifies that this dwelling unit of industrialized housing has been manufactured from plans, specifications and other related design documents under a compliance assurance program in accordance with the requirements of the Industrialized Housing Act, Title 35 of the Purdon's Pennsylvania Statutes Annotated, §§ 1651.1 to 1651.12, and the regulations issued thereunder by the Department of Community and Economic Development of the Commonwealth of Pennsylvania.

(b) Each certified housing component or components comprising a project in a single dwelling unit must bear an insignia of certification for Housing Components. The insignia of certification must be furnished by the Department to the manufacturer under the procedures of § 145.63. The manufacturer shall permanently attach the insignia of certification to the housing component in a visible location identified in the building system documentation and in the Building System Approval Report. Each insignia of certification must bear an insignia serial number furnished by the Department and shall contain the following language:

**INSIGNIA OF CERTIFICATION FOR HOUSING COMPONENTS  
Serial No.**

This insignia certifies that this housing component has been manufactured from plans, specifications and other related design documents under a compliance assurance program in accordance with the requirements of the Industrialized Housing Act, Title 35 of the Purdon's Pennsylvania Statutes Annotated, §§ 1651.1 to 1651.12, and the regulations issued thereunder by the Department of Community and Economic Development of the Commonwealth of Pennsylvania. [If the size, shape or other physical characteristic of the housing component make impractical the use of such insignia of certification, the Department may specify such alternative forms of insignia as may be appropriate.]

(c) Insignia of certification issued by the Department will be of a size and design and of materials and will provide for the methods of attachment as determined by the Department.

**§ 145.61. Insignia of inspection agencies.**

(a) The inspection agency shall attach to a housing component its label, seal or other insignia adjacent to the data plate for each industrialized housing module.

(b) The inspection agency shall attach its label, seal or other insignia or other identification for certified housing components comprising a project in a single dwelling unit. [to each housing component which is transported to the building site for installation in a housing structure and to each separate element, if any, of the housing component which is transported to the building site for assembly and installation.]

(c) The label, seal or other insignia of the inspection agency must identify the name and address of the inspection agency and have a serial number. In other respects, the inspection agency may design its label, seal or other insignia as it wishes, provided that the label, seal or other insignia does not contain statements which the Department determines are inconsistent with the act or this chapter. Each label, seal or other insignia must be attached in a clearly visible location to the housing component or element of the industrialized housing or housing component, as applicable, by the time of its arrival at the building site, but the label, seal or other insignia may be covered up during the process of assembly and installation at the building site so that it is not permanently visible.

**§ 145.62. Data plates.**

(a) A dwelling unit of certified industrialized housing must contain a data plate. The data plate shall be furnished by the manufacturer and be permanently attached by the manufacturer in a visible location as specified in Section 145.60(a) (relating to insignia of certification) [in the utility room or utility area, if feasible, and otherwise in other areas identified in the building system documentation]. The data plate must contain sufficient space to permit the attachment of insignia of certification as provided in § 145.60(a) (relating to insignia of certification) and of the label, seal or other insignia of the inspection agency as provided in § 145.61(a) (relating to insignia of inspection agencies). The data plate must contain, but not be limited to, the following information:

- (1) Name of manufacturer.
- (2) Address of principal office of manufacturer.
- (3) Address of manufacturing facility where the industrialized housing or its principal elements were produced.
- (4) Manufacturer's model name.
- (5) Manufacturer's serial number for dwelling unit and date of manufacture.
- (6) Inspection and evaluation agencies' serial numbers.
- (7) Department insignia of certification numbers.

- (8) Serial or other identifying numbers of each module of industrialized housing.
- (9) Minimum Btu output of furnace needed to maintain average 70° F interior temperature at outside design temperature of \_\_\_\_ F.
- (10) Annual degree days for which the house has been designed.
- (11) Snow loads—maximum.
- (12) Wind loads—maximum.
- (13) Floor loads—maximum, sleeping/nonsleeping.
- (14) Other special environmental factors.
- (15) Tests required and actually conducted.
- (16) Applicable codes, including name of code, edition or year of publication.

(b) A housing structure containing certified housing components shall contain a data plate. The data plate shall be furnished by the manufacturer and be permanently attached by the manufacturer in a visible location in the utility room or utility area, if feasible, and otherwise in other areas identified in the plans for the housing structure. The insignia of certification of the Department may not be attached to the data plate. The data plate must contain, but not be limited to, the following information relating to the housing components:

- (1) Name of manufacturer.
- (2) Address of principal office of manufacturer.
- (3) Address of manufacturing facility where housing components were produced.
- (4) Manufacturer's model name.
- (5) Manufacturer's serial number for housing components.
- (6) Inspection and evaluation agencies' serial numbers.
- (7) Serial number of Department's insignia of certification attached to each housing component.
- (8) Snow loads—maximum.
- (9) Wind loads—maximum.
- (10) Other special environmental factors, if applicable.
- (11) Applicable codes, including name of code, edition, year of publication and applicable supplement, if any.
- (12) Date data plate attached to dwelling unit.
- (13) Tests required and actually conducted.

(c) Additional information may be included on the data plate for dwelling units of certified industrialized housing and housing structures containing certified housing components if there is no conflict with the requirements of the act or this chapter. If less than the minimum data required in this section is deemed necessary, prior approval shall be obtained from the Department.

(d) To insure that proper installation equipment is utilized for the lifting of industrialized housing units or housing components, a manufacturer shall indicate on the data plate the total shipping weight in tons per component.

**§ 145.63. Procedures for requesting, controlling and attaching insignia of certification.**

(a) A manufacturer with an approved building system documentation and related approved compliance assurance program may request the Department to issue to it insignia of certification, in a quantity not less than five and not more than the quantity needed for the manufacturer's reasonably estimated production during a 1-month period. The manufacturer's request shall be made on a Request for Insignia of Certification Form furnished by the Department and shall be accompanied by a check or money order, in an amount calculated in accordance with the fee schedule in § 145.94 (relating to fees). If the manufacturer's request is complete and the fee payment is correct, the Department will promptly issue to the manufacturer the requested number of insignia of certification. Each individual insignia of certification shall bear a separate insignia serial number written thereon by the Department. The insignia of certification issued to the manufacturer shall be accompanied by an Insignia of Certification Inventory Control List, on a form furnished by the Department, on which the Department has written the serial number of each insignia and the date of shipment to the manufacturer, and with space to permit additional information to be recorded regarding the storage and disposition of each insignia of certification. The Department will send a copy of the Insignia of Certification Inventory Control List to the appropriate inspection agency.

(b) The manufacturer shall entrust the custody of the insignia of certification received from the Department only to employees designated in the compliance control program as responsible for the custody and control of the insignia of certification. The manufacturer shall attach the insignia to dwelling units of industrialized housing or to housing components only in the circumstances prescribed in the compliance control program and only with the prior specific authorization from the inspection agency. The manufacturer shall attach the insignia of certification in the manner specified by the Department intended to assure that the insignia cannot be removed without destroying the insignia. The manufacturer shall promptly record the attachment of each insignia of certification on the Insignia of Certification Inventory Control List. A copy of the Insignia of Certification Inventory Control List, with all columns filled out by the manufacturer [to the extent of its knowledge], shall be sent by the manufacturer to the Department and to the inspection agency promptly following the use of all the insignias listed on the list, [or 3 months after receipt of the list from the Department, whichever occurs first] The manufacturer shall report to the Department and to the inspection agency the status of all insignias issued to them on a monthly basis, utilizing a method approved by the Department.

(c) The manufacturer shall return to the Department unused insignia of certification that have been issued to it within 10 days following the suspension of approval under § 145.66(a) (relating to emergency suspension) of previously approved building system documentation or compliance assurance programs of the manufacturer, or following the suspension under § 145.66(b) of the manufacturer's right to receive or attach insignia of certification, or following recall under § 145.69 (relating to suspension of certificate of approval of out-of-State manufacturer for lack of activity) or following the

manufacturer's discontinuance of the manufacture of industrialized housing or housing components for sale, lease or installation for use in this Commonwealth, or following the bankruptcy or dissolution of the manufacturer or the discontinuance of the manufacturer's business for whatever reason, or following the manufacturer's determination that the insignia of certification is no longer needed. The Department will cause the manufacturer to be refunded a portion of the fee already paid for the insignia equal to the product of the number of insignia of certification returned by the manufacturer and the fee per insignia paid by the manufacturer, less \$50 to be retained by the Department for handling expenses. Insignia returned to the Department under § 145.69 will not be subject to the charge for handling expenses.

(d) A manufacturer may not use, transfer, sell or otherwise dispose of insignia of certification issued to it by the Department in any manner not specifically authorized of this chapter.

\* \* \* \* \*

### THIRD-PARTY AGENCIES

\* \* \* \* \*

#### § 145.72a. Frequency of inspections.

(a) In carrying out its monitoring responsibilities under § 145.72 [(1) and (2)] (relating to responsibilities of inspection agencies), an inspection agency shall observe the following minimum frequency of inspection requirements: [for factory inspections when the inspection agency label is being attached to every dwelling unit produced in the factory:

(1) The inspection agency shall inspect each major subsystem of each unit produced by the factory during its start-up period or during the inspection agency's initial work at the factory.

(2) At any time after a minimum of ten complete units have been inspected as required by paragraph (1), the inspection agency may reduce the frequency of inspection, but not to less than a 20% frequency of inspection level. A "20% frequency of inspection" means that the inspection agency will inspect either one complete dwelling unit (including four major subsystems) out of every five dwelling units produced or one-fifth of major subsystems approximately evenly distributed among a larger sampling of dwelling units, that is 20 major subsystems in 25 dwelling units of production. ]

(1) During the inspection agency's initial work at the factory or after revocation under § 145.67, the inspection agency must monitor the manufacturers approved compliance control program by inspecting industrialized homes throughout every work station, until such time it can be certified that the manufacturer is producing conforming homes on an ongoing basis. At a minimum, ten industrialized homes must be inspected at every work



station prior to granting the manufacturer authority to receive and attach insignias of certification for industrialized housing. At least one home through this certification process must be an industrialized house or housing component destined for a site in Pennsylvania.

(b) In carrying out its monitoring responsibilities under § 145.72(1), an inspection agency shall inspect every major subsystem of every dwelling unit produced which is to bear the insignia of certification when the inspection agency label is not being attached to every dwelling unit produced in the factory.

(c) An inspection agency's monitoring responsibilities under § 145.72(1) and (2) shall include the [periodic] monthly inspection of the storage and transportation methods and facilities employed by or on behalf of the manufacturer for as long as the manufacturer retains title to or effective control over the dwelling units to insure that the units are not altered from the manner in which they were approved.

(d) In carrying out its monitoring responsibilities under § 145.72(1) and (2) an inspection agency shall inspect industrialized housing at the site after installation is complete in a manner and frequency, consistent with factors set forth in subsection (e), necessary to confirm that the manufacturer's approved compliance control program is effective in assuring installation consistent with the manufacturer's approved building system documentation. Documentation of the onsite inspections must be on file in each manufacturing facility and be provided to the Department within 30 days of the Department's request for the documentation.

(e) The minimum frequency of inspection requirements of this section are not intended to substitute for the professional judgment of an inspection agency in determining whether a greater frequency of inspections is necessary to discharge its responsibilities properly. Factors that should be considered in establishing an appropriate frequency of inspection level for any manufacturer are the production volume of the factory, the design complexity of the dwelling units, the qualifications of the manufacturer's compliance control personnel and the experience record of the manufacturer.

\* \* \* \* \*

#### **§ 145.78. Contractual arrangements.**

(a) No evaluation agency or inspection agency may discharge a responsibility under this chapter unless under valid contracts with the Department and with manufacturers contemplated by this section.

(b) As soon as practical but not later than 30 days after the Department approves an evaluation agency or an inspection agency under § 145.75 (relating to procedures for obtaining approvals of evaluation and inspection agencies), the Department and the third-party agency shall enter into a contract which will set forth the rights and obligations of the Department and the third-party agency. The contracts shall contain representations by

the third-party agencies with respect to their fees to be paid by manufacturers for the discharge of their responsibilities under this chapter; the establishment of the fees may not be subject to negotiation with the Department. In all other respects, except for the limitations scope and the special conditions contained therein, contracts with evaluation agencies shall be uniform for evaluation agencies and contracts with inspection agencies shall be uniform for inspection agencies. Each contract shall also contain a provision under which the Department may require an evaluation agency or an inspection agency to enter into and implement an implementing contract under subsection (c), whether on a temporary or permanent basis, with a manufacturer that is unable to comply with this chapter because third-party agencies are unwilling voluntarily to enter into an implementing contract with the manufacturer or because the manufacturer is otherwise without a currently valid implementing contract with an evaluation agency or an inspection agency because the approval of the third-party agency was suspended or revoked under the provisions of this chapter. Each contract shall also contain provisions which are required by law for contracts of which the Department is a party, including, without limitation, provisions for equal employment opportunity.

(c) A manufacturer seeking certification of industrialized housing or housing components that it manufactures shall enter into implementing contracts with an evaluation agency and an inspection agency with contracts with the Department under subsection (b). Each third-party agency shall send a copy of each implementing contract to the Department.

(d) A manufacturer of industrialized housing or housing components approved under this title shall have a current implementing contract with an approved evaluation agency and an approved inspection agency or have alternate arrangement for evaluation or inspection, or both, of its products with the Department under § 145.70 (relating to Departmental evaluation and inspection).

(e) A manufacturer of industrialized housing or housing components operating under an implementing contract with an approved evaluation agency and an approved inspection agency, who wishes to enter into an implementing contract with a different evaluation or inspection agency, must provide justification and receive approval from the Department prior to the entering into the new contract.

\* \* \* \* \*

## LOCAL ENFORCEMENT AGENCIES

\* \* \* \* \*

### § 145.82. Issuance of building permits.

(a) A person seeking a building permit from a local enforcement agency for industrialized housing or a housing structure in which will be installed housing components shall furnish a current Notice of Approval and a statement signed by the

person seeking the building permit or, if a corporation, by an officer or authorized representative of the corporation, that the work to be performed under the building permit will include the installation of certified industrialized housing or certified housing components, bearing the insignia of certification issued by the Department under the act and this chapter.

(b) The local enforcement agency may not withhold the issuance of a building permit for certified industrialized housing or a housing structure in which will be installed certified housing components if the applicant submits the documents required by this section, and the application for a building permit complies with applicable locally-enacted codes and ordinances with regard to set-up and site details, consistent with the approved building system documentation.

\* \* \* \* \*

## ADMINISTRATIVE PROVISIONS

### § 145.91. Reports to the Department.

(a) The Department is authorized to require that evaluation agencies, inspection agencies and manufacturers with approved building system documentation shall prepare and submit to the Department regular periodic reports regarding their activities relating to industrialized housing and housing components falling within the scope of the act and this chapter. These reports shall be promptly filed with the Department on forms and at times the Department may specify.

(b) The Department is authorized to require that evaluation agencies, inspection agencies and manufacturers with approved building system documentation shall promptly furnish to the Department the special reports and other information as the Department may require which relate in any way to the administration and enforcement of the act and this chapter.

(c) Evaluation agencies and inspection agencies are required to notify the Department of the following:

(1) A change of facts which would render inaccurate in material respect their application for approval submitted to the Department under § 145.75 (relating to procedures for obtaining approvals of evaluation and inspection agencies), as updated by the latest application for reapproval submitted to the Department under § 145.76 (relating to reapprovals of third-party agencies), as provided more particularly in § 145.75(e).

(2) A fact or circumstance of which the third-party agency has actual knowledge which could lead a reasonable person to believe that a manufacturer, third-party agency or other person in violating the act or this chapter, the notification to be promptly given to the Department.

(d) Manufacturers with approved building system documentation are required promptly to notify the Department of any fact or circumstance of which the manufacturer has actual knowledge which could lead a reasonable person to believe that a third-party agency or other person is violating a provision of the act or of this chapter.

(e) A person installing industrialized housing or housing components for use on a site in a jurisdiction in this Commonwealth shall prepare and [mail to the inspection agency] return to the manufacturer a Site Installation Inspection Report on a form furnished by the manufacturer as part of their approved compliance control program. The manufacturer is responsible for furnishing to the person performing the installation a copy of the Site Installation Inspection Report form and instructions as to its intended use.

\* \* \* \* \*

#### § 145.94. Fees.

(a) A person submitting an application to the Department under § 145.75(a) (relating to procedures for obtaining approvals of evaluation and inspection agencies) for approval as an evaluation agency or inspection agency shall pay a fee of \$1,000. If the person seeks approval as both an evaluation agency and an inspection agency, the combined fee shall be \$2,000.

(b) A third-party agency submitting an application to the Department under § 145.76 (relating to reapprovals of third-party agencies), for reapproval as an evaluation agency or inspection agency shall pay a fee of \$500. If the person seeks reapproval as both an evaluation agency and an inspection agency, the combined fee shall be \$1,000.

(c) Each manufacturer requesting the Department under § 145.63 (relating to procedures for requesting, controlling and attaching insignia of certification) to issue insignia of certification shall pay a fee of \$40 for the insignia of certification for each module of industrialized housing.

(d) Each manufacturer requesting the Department under § 145.63 to issue insignia of certification for housing components shall pay a fee of \$40 for each housing component which will bear insignia of certification. [The fee payable under this subsection for housing components to be installed in a single-dwelling unit may not exceed \$100.]

(e) When the Department is authorized to monitor or inspect under § 145.93 (relating to factory inspections; right of entry) or otherwise, or provide evaluation or inspection services, or both, under § 145.70 (relating to Departmental evaluation and inspection), the manufacturer shall pay to the Department the following fees:

(1) Engineering services—\$400 per day or \$60 per hour.

(2) Administrative services—\$175 per day or \$25 per hour.

(3) Travel and per diem expenses—current Commonwealth travel and per diem expenses.

(f) The Department may establish reasonable handling and other administrative fees as indicated elsewhere in this chapter, subject to the stated limitations in amount.

(g) Fees paid to the Department under this chapter are nonrefundable except as otherwise specifically set forth in this chapter. Fees must be paid by check or money order.

\* \* \* \* \*



**COMMONWEALTH OF PENNSYLVANIA  
GOVERNOR'S OFFICE OF GENERAL COUNSEL**

January 14, 2010

Independent Regulatory Review Commission  
c/o Arthur Coccodrilli  
14th Floor, Harristown II  
333 Market Street  
Harrisburg, PA 17101

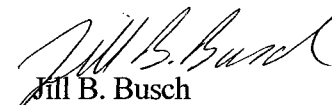
Dear Mr. Coccodrilli:

Pursuant to Section 145 of the Regulatory Review Act, enclosed for your review is a final form regulation. The regulation submitted would amend Chapter 145 of Title 12 of the Pennsylvania Code.

Also enclosed is a regulatory analysis form pertaining to the regulation.

Concurrently with delivery of the regulation to you, the regulation has also been submitted to the House Commerce Committee and the Senate Community, Economic and Recreational Development Committee for their respective review in accordance with the Regulatory Review Act.

Sincerely,

  
Jill B. Busch  
Deputy Chief Counsel

Enclosures

cc: Christian Muniz, Legislative Liaison





**COMMONWEALTH OF PENNSYLVANIA  
GOVERNOR'S OFFICE OF GENERAL COUNSEL**

January 14, 2010

Honorable Chris Ross, Minority Chair  
Urban Affairs Committee  
Pennsylvania House of Representatives  
110 Ryan Office Building  
Harrisburg, PA 17120

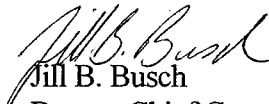
Dear Representative Ross:

Pursuant to Section 145 of the Regulatory Review Act, enclosed for your review is a final form regulation. The regulation submitted would amend Chapter 145 of Title 12 of the Pennsylvania Code.

Also enclosed is a regulatory analysis form pertaining to the regulation.

Concurrently with delivery of the regulation to you, the regulation has also been submitted to the Independent Regulatory Review Commission for its review in accordance with the Regulatory Review Act.

Sincerely,

  
Jill B. Busch  
Deputy Chief Counsel

Enclosures

cc: Christian Muniz, Legislative Liaison  
Arthur Coccodrilli, IRRC





**COMMONWEALTH OF PENNSYLVANIA  
GOVERNOR'S OFFICE OF GENERAL COUNSEL**

January 14, 2010

Honorable Thomas W. Curtis, Chair  
Urban Affairs Committee  
Pennsylvania House of Representatives  
301 Irvis Office Building  
Harrisburg, PA 17120

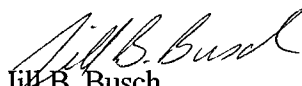
Dear Representative Curtis:

Pursuant to Section 145 of the Regulatory Review Act, enclosed for your review is a final form regulation. The regulation submitted would amend Chapter 145 of Title 12 of the Pennsylvania Code.

Also enclosed is a regulatory analysis form pertaining to the regulation.

Concurrently with delivery of the regulation to you, the regulation has also been submitted to the Independent Regulatory Review Commission for its review in accordance with the Regulatory Review Act.

Sincerely,

  
Jill B. Busch  
Deputy Chief Counsel

Enclosures

cc: Christian Muniz, Legislative Liaison  
Arthur Coccodrilli, IRRC







**COMMONWEALTH OF PENNSYLVANIA  
GOVERNOR'S OFFICE OF GENERAL COUNSEL**

January 14, 2010

Honorable Wayne D. Fontana, Minority Chair  
Community, Economic and Recreational Development Committee  
Senate of Pennsylvania  
Room 15 East Wing  
Harrisburg, PA 17120

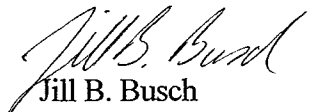
Dear Senator Fontana:

Pursuant to Section 145 of the Regulatory Review Act, enclosed for your review is a final form regulation. The regulation submitted would amend Chapter 145 of Title 12 of the Pennsylvania Code.

Also enclosed is a regulatory analysis form pertaining to the regulation.

Concurrently with delivery of the regulation to you, the regulation has also been submitted to the Independent Regulatory Review Commission for its review in accordance with the Regulatory Review Act.

Sincerely,

  
Jill B. Busch  
Deputy Chief Counsel

Enclosures

cc: Christian Muniz, Legislative Liaison  
Arthur Coccodrilli, IRRC





**COMMONWEALTH OF PENNSYLVANIA  
GOVERNOR'S OFFICE OF GENERAL COUNSEL**

January 14, 2010

Honorable Jane M. Earll, Chair  
Community, Economic and Recreational Development Committee  
Senate of Pennsylvania  
Room 177 Main Capitol Building  
Harrisburg, PA 17120


Dear Senator Earll:

Pursuant to Section 145 of the Regulatory Review Act, enclosed for your review is a final form regulation. The regulation submitted would amend Chapter 145 of Title 12 of the Pennsylvania Code.

Also enclosed is a regulatory analysis form pertaining to the regulation.

Concurrently with delivery of the regulation to you, the regulation has also been submitted to the Independent Regulatory Review Commission for its review in accordance with the Regulatory Review Act.

Sincerely,

  
Jill B. Busch  
Deputy Chief Counsel

Enclosures

cc: Christian Muniz, Legislative Liaison  
Arthur Coccodrilli, IRRC

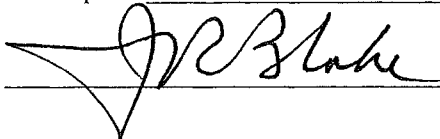
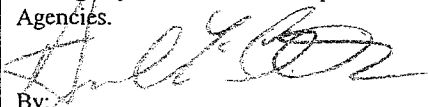


CDL-1

**FACE SHEET  
FOR FILING DOCUMENTS  
WITH THE LEGISLATIVE REFERENCE BUREAU**

**(Pursuant to Commonwealth Documents Law)**

DO NOT WRITE IN THIS SPACE

<p>Copy below is hereby approved as to form and legality. Attorney General</p> <p>By: _____ (Deputy Attorney General)</p> <p>_____</p> <p>Date of Approval</p> <p><input type="checkbox"/> Check if applicable. Copy not approved. Objections attached.</p>	<p>Copy below is hereby certified to be a true and correct copy of a document issued, prescribed or promulgated by:</p> <p>Department of Community and Economic Development (Agency)</p> <p>Document/Fiscal Note No. #4-91 Date of Adoption: _____</p> <p>By:  _____</p> <p>Title: <u>Executive Deputy Secretary</u></p>	<p>Copy below is hereby approved as to form and legality. Executive or Independent Agencies.</p> <p></p> <p>By: <u>Andrew C. Clark</u></p> <p><u>JAN - 8 2010</u></p> <p>Date of Approval</p> <p>(Deputy General Counsel) (<del>Chief Counsel, Independent Agency</del>) (Strike inapplicable title)</p> <p><input type="checkbox"/> Check if applicable. No Attorney General approval or objection within 30 days after submission.</p>
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TITLE 12. COMMERCE, TRADE AND LOCAL GOVERNMENT

PART V. COMMUNITY AFFAIRS AND DEVELOPMENT

SUBPART C. COMMUNITY DEVELOPMENT AND HOUSING

CHAPTER 145. INDUSTRIAL HOUSING AND COMPONENTS

**TRANSMITTAL SHEET FOR REGULATIONS SUBJECT TO THE  
REGULATORY REVIEW ACT**

I.D. NUMBER: 4-91  
 SUBJECT: INDUSTRIAL HOUSING AND COMPONENTS  
 AGENCY: DEPARTMENT COMMUNITY & ECONOMIC DEVELOPMENT

**TYPE OF REGULATION**

- Proposed Regulation
- Final Regulation
- Final Regulation with Notice of Proposed Rulemaking Omitted
- 120-day Emergency Certification of the Attorney General
- 120-day Emergency Certification of the Governor
- Delivery of Tolled Regulation
  - a. With Revisions
  - b. Without Revisions

RECEIVED  
 JAN 11 PM 2:49  
 INDEPENDENT REGULATORY  
 REVIEW COMMISSION

**FILING OF REGULATION**

DATE	SIGNATURE	DESIGNATION
1-14-10	<u>Rita Nardella</u>	HOUSE URBAN AFFAIRS COMMITTEE
1-14-10	<u>Evan Jones</u>	MAJORITY CHAIRMAN <u>Hon. Thomas W. Curtis</u>
1-14-10	<u>D. Mackenzie</u>	SENATE COMMITTEE ON COMMUNITY, ECONOMIC & RECREATIONAL DEVELOPMENT
1-14-10	<u>Elyse Schuss</u>	MAJORITY CHAIRMAN <u>Hon. Jane M. Earll</u>
1/14/10	<u>Kathy Cooper</u>	INDEPENDENT REGULATORY REVIEW COMMISSION
_____	_____	ATTORNEY GENERAL (for Final Omitted only)
_____	_____	LEGISLATIVE REFERENCE BUREAU (for Proposed only)