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DEPARTMENT OF TRANSPORTATION
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OFFICE OF
SECRETARY OF TRANSPORTATION

November 17, 2010

Ms. Kim Kaufman, Executive Director
Independent Regulatory Review Commission
333 Market Street, 14th Floor
Harrisburg, PA 17101

Dear Ms. Kaufman:

The purpose of this letter is to provide you with a status of the comments submitted by the Department of Transportation (PennDOT) on May 21, 2010, regarding the proposed rulemaking for 25 Pa. Code Chapter 105. The Department of Environmental Protection (PADEP) has coordinated with PennDOT to discuss and address PennDOT's comments.

PADEP deferred addressing most of PennDOT's comments on these revisions by reverting back to the existing language. The present Chapter 105 revisions focus on the Dam program. PADEP has assured us that PennDOT's comments will be addressed in the Water Obstructions and Encroachments regulation package currently under review by PADEP. At the October 12, 2010, Environmental Quality Board meeting, PADEP agreed to provide PennDOT with the opportunity to review and comment on the proposed revisions to the Water Obstructions and Encroachments regulations prior to presenting the proposed revisions to the Water Resource Advisory Committee for review. PennDOT is satisfied with this approach to addressing PennDOT's comments on the Chapter 105 regulations.

Thank you for your time and attention to these proposed regulatory revisions. We appreciate PADEP's willingness to coordinate with PennDOT on future revisions to the Water Obstruction and Encroachment regulations. If you have any questions, please contact Mr. Gary C. Fawver, P.E., in the Bureau of Project Delivery at (717) 787-1024.

Sincerely,

A handwritten signature in cursive script that reads "Scott Christie".

R. Scott Christie, P.E.
Deputy Secretary for Highway Administration

John W. ...
John M. ...