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INDEPENDENT REGULATORY REVIEW COMMISSION

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

August 25, 2011

Honorable Michael Krancer, Chairman
Board of Coal Mine Safety
400 Market Street
16th Floor
Harrisburg, PA 17105-2063

Re: Regulation #7-455 (IRRC #2856)
Board of Coal Mine Safety
Underground Coal Mine Safety

Dear Chairman Krancer:

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,

Silvan B. Lutkewitte, III
Chairman

sfh

Enclosure

cc: Honorable Mary Jo White, Majority Chairman, Senate Environmental Resources and Energy Committee
Honorable John Yudichak, Minority Chairman, Senate Environmental Resources and Energy Committee
Honorable Scott E. Hutchinson, Majority Chairman, House Environmental Resources and Energy Committee
Honorable Camille George, Minority Chairman, House Environmental Resources and Energy Committee

**INDEPENDENT REGULATORY REVIEW COMMISSION
APPROVAL ORDER**

Commissioners Voting:

Public Meeting Held August 25, 2011

Silvan B. Lutkewitte, III, Chairman
George D. Bedwick, Vice Chairman
Arthur Coccodrilli
John F. Mizner, Esq.
Lawrence J. Tabas, Esq.

Regulation No. 7-455 (#2856)
Board of Coal Mine Safety
Underground Coal Mine Safety

On June 25, 2010, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Board of Coal Mine Safety (Board). This rulemaking establishes 25 Pa. Code Chapter 208. The proposed regulation was published in the July 10, 2010 *Pennsylvania Bulletin* with a 60-day public comment period. The final-form regulation was submitted to the Commission on July 22, 2011.

This final-form rulemaking establishes safety standards relating to belt conveyor flammability, the design and installation of mine seals, escapeways, emergency response and self-contained self-rescue devices. They incorporate by reference safety standards adopted by the United States Department of Labor, Mine Safety and Health Administration found in 30 CFR Part 75 (relating to mandatory safety standards – underground coal mines).

We have determined this regulation is consistent with the statutory authority of the Board (52 P.S. §§ 690-106, 690-106.1 and 690-106.2) 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.



A handwritten signature in black ink, appearing to read "Silvan B. Lutkewitte, III".

Silvan B. Lutkewitte, III, Chairman