

3125



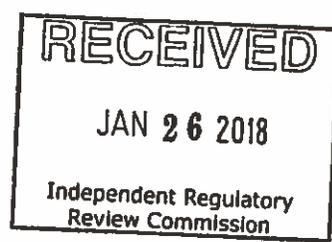
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January 26, 2018

Via email to: [ljohnson@irrc.state.pa.us](mailto:ljohnson@irrc.state.pa.us) & [dsumner@irrc.state.pa.us](mailto:dsumner@irrc.state.pa.us)

Leslie Lewis Johnson, Esq., Chief Counsel  
David Sumner, Executive Director  
Independent Regulatory Review Commission  
333 Market Street, 14th Floor  
Harrisburg, PA 17101



RE: Final-Form Regulation  
Independent Regulatory Review Commission Rulemaking #3125  
Regulation # 70-9  
Amendments to 1 Pa. Code Chapters 301, 303, 305, 307, 309, 311, 311a and 315

Dear Ms. Johnson and Mr. Sumner:

The Pennsylvania Independent Oil & Gas Association (PIOGA) requests that, per Section 5.1(g) of the Regulatory Review Act (RRA), the Independent Regulatory Review Commission (IRRC) toll the time for the Joint Committee on Document's (JCD) and the legislative oversight committees' review of IRRC's final-form regulation to allow IRRC to consider recommendations from JCD or a committee to revise Section 305.1(b) of the final-form regulation to include the language requested by PIOGA in the attached comment letter (p.2). Per the attached comment letter, PIOGA is concurrently requesting that JCD and the committees recommend that IRRC revise Section 305.1(b) of the final-form regulation accordingly.

PIOGA had previously suggested a process and language to the proposed regulation to address the issue the requested revision addresses, but JCD opposed the process and language and IRRC declined to include the process and language in the final-form regulation. As explained in the attached comment letter (p.6), PIOGA believes that the rationale for IRRC's and JCD's opposition to PIOGA's previously suggested process and language does not apply to the revision to Section 305.1(b) of the final-form regulation that PIOGA is now requesting.

Accordingly, PIOGA also requests that IRRC revise Section 305.1(b) of the final-form regulation, as follows, for the reasons set forth in the attached comment letter:

- § 305.1. Delivery of a proposed regulation.
- ....
- (b) The agency shall include the following material with the regulation:

(1) A completed regulatory analysis form. Failure to include paper copies or links to electronic versions of all documents, such as forms, guidance documents and instructions, which will be required for implementation of the regulation will constitute a faulty delivery of the regulation and shall result in the regulation being returned as incomplete to the promulgating Board, Commission, or Agency.

On behalf of PIOGA and its members, thank you for considering these requests.

Sincerely,

A handwritten signature in blue ink that reads "Kevin J. Moody". The signature is written in a cursive, flowing style.

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Kevin J. Moody, General Counsel  
PIOGA