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Senate of Pennsylvania

November 28, 2006

Mary Jane Phelps, Director
Pennsylvania Code and Bulletin
Legislative Reference Bureau
Room 647 Main Capitol Building
Harrisburg Pennsylvania 17120

Dear Ms. Phelps:

Because of the adjournment *sine die* of the General Assembly on November 28, 2006, the Environmental Resources and Energy Committee of the Senate is constrained from its full 14-day review of the final-form regulation of the Environmental Quality Board on "Standards for Contaminants; Mercury," proposed at 36 Pa.B. 3185 (June 24, 2006).

Under section 5.1(j.3) of the Regulatory Review Act, as amended December 6, 2002 (P.L.1227, 1236-37, No.148), 71 P.S. § 745.5a (2006 P.P.): the Department of Environmental Protection is, therefore, required to resubmit this final-form regulation to the Committee, to the appropriate standing committee in the House of Representatives, and to the Independent Regulatory Review Commission no earlier than January 22, 2006; and the Committee will have at least ten days from then to finally consider this final-form regulation.

In light of the additional time for committee review, it is our understanding that the Legislative Reference Bureau is not authorized to publish the final-form regulation of the Environmental Quality Board on "Standards for Contaminants; Mercury," proposed at 36 Pa.B. 3185 (June 24, 2006), until full compliance with the requirements of section 5.1(j.3) of the Regulatory Review Act are attained.

INDEPENDENT REGULATORY
REVIEW COMMISSION

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Should there be questions or developments regarding publication of the final form regulation and the related processes, please contact Drew Crompton, Counsel to the President Pro Tempore or Steve MacNett, General Counsel.

Sincerely,

A handwritten signature in dark ink, appearing to read "R. C. Jubelirer", written over a faint, larger signature.

ROBERT C. JUBELIRER
PRESIDENT PRO TEMPORE

RCJ/bbk

cc: Senator Mary Jo White
Senator Raphael J. Musto
J. Andrew Crompton, Esquire

From State Senator
MARY JO WHITE
21st Senatorial District

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☐ **For Your Information**

☐ **As Per Your Request**

☐ **Other** _____

Date _____
