

<b>Regulatory Analysis Form</b>		This space for use by IRRC <b>RECEIVED</b>	
(1) Agency  Department of Environmental Protection		2006 NOV 17 PM 12:08  INDEPENDENT REGULATORY REVIEW COMMISSION	
(2) I.D. Number (Governor's Office Use) 7-403		IRRC Number: 2585	
(3) Short Title  Water Resources Planning			
(4) PA Code Cite  25 PA Code Chapters 109 and 110		(5) Agency Contacts & Telephone Numbers  Primary Contact: Marjorie Hughes, 783-8727  Secondary Contact: Michele Tate, 772-4768	
(6) Type of Rulemaking (Check One)  <input checked="" type="checkbox"/> Proposed Rulemaking <input type="checkbox"/> Final Order Adopting Regulation <input type="checkbox"/> Final Order, Proposed Rulemaking Omitted		(7) Is a 120-Day Emergency Certification Attached?  <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes: By the Attorney General <input type="checkbox"/> Yes: By the Governor	
(8) Briefly explain the regulation in clear and nontechnical language.  The Environmental Quality Board (Board) proposes to amend 25 Pa. Code Chapter 109 (relating to Safe Drinking Water) and to add Chapter 110 (relating to Water Resources Planning). The proposed rulemaking will add a new chapter establishing the requirements for registration of water users and record keeping and reporting of water withdrawal and use information, as required by the Water Resources Planning Act.  The regulation establishes the requirements for registration of water users and record keeping and reporting of water withdrawal and use information, as required by the Water Resources Planning Act. The regulation specifies who is required to register, keep records and report information related to withdrawals of water in the Commonwealth and details the information that is to be recorded and reported to the Department. The information collected under this regulation is essential to development of the State Water Plan, which is mandated by the Water Resources Planning Act.			
9) State the statutory authority for the regulation and any relevant state or federal court decisions.  The proposed rulemaking is being made under the authority of section 4 of the Pennsylvania Safe Drinking Water Act (35 P.S. §721.4) and section 3118 of the Water Resources Planning Act (27 PA C.S. §3118), which directs the Board to adopt regulations pertaining to reporting by public water suppliers and establishing requirements for the registration, periodic reporting and record keeping of water withdrawals and uses and under the authority of section 1920-A of The Administrative Code, April 9, 1929 (P.L. 177, No. 175), as amended, 71 P.S. Sec. 510-20, authorizing and directing the Board to adopt regulations necessary for the proper performance of the work of the Department.			

## Regulatory Analysis Form

(10) Is the regulation mandated by any federal or state law or court order, or federal regulation? If yes, cite the specific law, case or regulation, and any deadlines for action. The regulation is mandated by Section 2 of the act of December 16, 2002 (P.L. 1776, No. 220), known as the Water Resources Planning Act, 27 Pa. C.S. § 3118(b)

(11) Explain the compelling public interest that justifies the regulation. What is the problem it addresses?

This regulation will help create economic opportunity by assisting decision makers in identifying water resources available to support sustainable development and will help to avoid unwise investment in unsustainable resources. The Commonwealth does not currently know how much water is used, needed or available. The regulation will provide the data necessary to help answer those questions.

(12) State the public health, safety, environmental or general welfare risks associated with non-regulation.

The Commonwealth does not currently know how much water is used, needed or available for providing for public health and safety, while ensuring adequate protection of aquatic resources. The State Water Plan will provide a framework for managing Pennsylvania's water resources to most effectively address public health and safety, while protecting aquatic resources. Development of the State Water Plan depends upon the collection of data that will be provided under this regulation.

(13) Describe who will benefit from the regulation. (Quantify the benefits as completely as possible and approximate the number of people who will benefit.)

All citizens will benefit from the development of a State Water Plan, which will provide decision-makers a valuable tool to guide investment, development and land use management in a manner that is sustainable and will avoid water shortages and concomitant dislocation. The data collected under this regulation is necessary to development of the State Water Plan.



## Regulatory Analysis Form

(14) Describe who will be adversely affected by the regulation. (Quantify the adverse effect as completely as possible and approximate the number of people who will be adversely affected.)

Persons who withdraw or use more than 10,000 gallons of water per day, and who are not currently regulated by either the Department or the Delaware or Susquehanna River Basin Commission, will be subjected to new registration, record-keeping and reporting requirements. We estimate that there may be about 2,500 such unregulated water users.

(15) List the persons, groups or entities that will be required to comply with the regulation. (Approximate the number of people who will be required to comply.)

Approximately 2,200 public water supply agencies, 5,000 industrial/commercial users and 1,000 agricultural users will be subject to this regulation.

(16) Describe the communications with and input from the public in the development and drafting of the regulation. List the persons and/or groups who were involved, if applicable.

Each of the six regional committees and the statewide committee, created under the statute, has reviewed the regulation during the drafting and development process.

(17) Provide a specific estimate of the costs and/or savings to the regulated community associated with compliance, including any legal, accounting or consulting procedures, which may be required.

All persons who withdraw or use 10,000 gallons of water or more per day and all public water suppliers and hydropower facilities will be required to register and report, under the regulations. One time metering costs, for meter equipment, for the public water suppliers, who don't currently meter their sources, may range from \$50 to \$2,000 per registered source. The total one-time metering costs are estimated to be \$600,000. Annual costs for record keeping and reporting may range from 1 to 5 workdays per year per registrant. Many users, including most that are currently regulated by either the Department or the SRBC or DRBC, already have the necessary record keeping and reporting processes in place and should incur no additional costs. The total annual record keeping and recording costs are estimated to be \$400,000.

Savings are estimated to be \$1,460,000 per year.

## Regulatory Analysis Form

(18) Provide a specific estimate of the costs and/or savings to local governments associated with compliance, including any legal, accounting or consulting procedures, which may be required.

To the extent that local governments may own or operate public water supply systems or recreational facilities such as golf courses, their costs will be similar to those of owners of other similar facilities, as described in the previous question. The costs to local government are included in the costs listed in the previous question.

(19) Provide a specific estimate of the costs and/or savings to state government associated with the implementation of the regulation, including any legal, accounting or consulting procedures, which may be required.

To the extent that state government may own or operate public water supply systems or recreational facilities such as State Park facilities or fish hatcheries, their costs will be similar to those of owners of other similar facilities, as described in the previous question. . The costs to state government are included in the costs listed in the previous question.



## Regulatory Analysis Form

(20) In the table below, provide an estimate of the fiscal savings and cost associated with implementation and compliance for the regulated community, local government, and state government for the current year and five subsequent years.

	Current FY Year	FY +1 Year	FY +2 Year	FY +3 Year	FY +4 Year	FY +5 Year
<b>SAVINGS:</b>	\$	\$	\$	\$	\$	\$
<b>Regulated Community</b>	1.46 M	1.46 M	1.46 M	1.46 M	1.46 M	1.46 M
<b>Local Government</b>						
<b>State Government</b>						
<b>Total Savings</b>	1.46 M	1.46 M	1.46 M	1.46 M	1.46 M	1.46 M
<b>COSTS:</b>						
<b>Regulated Community</b>	1.0 M	0.4 M	0.4 M	0.4 M	0.4 M	0.4 M
<b>Local Government</b>						
<b>State Government</b>						
<b>Total Costs</b>	1.0 M	0.4 M	0.4 M	0.4 M	0.4 M	0.4 M
<b>REVENUE LOSSES:</b>						
<b>Regulated Community</b>	0	0	0	0	0	0
<b>Local Government</b>	0	0	0	0	0	0
<b>State Government</b>	0	0	0	0	0	0
<b>Total Revenue Losses</b>	0	0	0	0	0	0

(20a) Explain how the cost estimates listed above were derived.

One time capital costs:

Estimated 1200 public water supply sources would need to install meters at an average cost of \$500 per meter.

$1200 \text{ sources} \times \$500 \text{ per source per meter} = \$600,000$

Annual costs:

Estimated 2000 sources will now spend approximately 1 workday on record keeping activities.

$2000 \text{ sources} \times \$200 \text{ per day} = \$400,000$

Savings:

After meters have been installed and record keeping is in place, it is estimated that public water supply systems will be able to reduce the amount of water lost due to leakage and unaccounted for water loss by 5%. The public water supply system finished water treatment cost is estimated to be \$4 per 1000 gallons.  $800 \text{ systems} \times 25,000 \text{ gallons per system per day} \times 0.05 \text{ amount of water saved} \times \$4 \text{ per 1000 gallons of water} \times 365 \text{ days per year} = \$1,460,000 \text{ saved per year}$

## Regulatory Analysis Form

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

Program	FY-3	FY-2	FY-1	Current FY
General Government Operations (181-10390)	\$22,171,000	\$18,824,000	\$18,262, 000	\$18,329,000

(21) Using the cost-benefit information provided above, explain how the benefits of the regulation outweigh the adverse effects and costs.

The estimated cost savings to the regulated community in the current fiscal year of 1.46 million outweigh the estimated costs to the regulated community of 1 million dollars. The estimated net benefit (the difference between the estimated cost savings and the estimated costs) of the regulation in the current fiscal year to the regulated community is 460 thousand dollars. After the current fiscal year the annual net benefit increases from an estimated 460 thousand dollars to an estimated 1.06 million dollars.

(22) Describe the nonregulatory alternatives considered and the costs associated with those alternatives. Provide the reasons for their dismissal.

Since the statute requires the EQB to adopt regulations for registration, record keeping and reporting, no nonregulatory alternatives were considered.

(23) Describe alternative regulatory schemes considered and the costs associated with those schemes. Provide the reasons for their dismissal.

None



## Regulatory Analysis Form

(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 regulation.

No. There are no applicable federal standards.

(25) How does the regulation compare with those of other states? Will the regulation put Pennsylvania at a competitive disadvantage with other states?

Similar registration, record-keeping and reporting requirements exist in Maryland, Delaware, and New Jersey. To the extent that the Delaware and Susquehanna River Basins are located in adjacent states, their record-keeping and reporting requirements apply in New York, Maryland, Delaware and New Jersey.

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

Safe Drinking Water regulations at 25 PA Code Chapter 109 are being revised to reflect compliance with this regulation's record-keeping and reporting requirements that will, in part, satisfy those requirements for Annual Water Supply Reports in that Chapter.

(27) Will any public hearings or informational meetings be scheduled? Please provide the dates, times, and locations, if available.

No, the draft regulations were reviewed by the Statewide and Regional Water Resources committees, whose meetings are open to the public.

## Regulatory Analysis Form

(28) Will the regulation change existing reporting, record keeping, or other paperwork requirements? Describe the changes and attach copies of forms or reports, which will be required as a result of implementation, if available.

The regulation will consolidate other reporting requirements of the Department as well as registration and reporting requirements of both DRBC and SRBC. Changes will be minimal, as the requirements of those programs have been incorporated into the regulation.

(29) 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.

Persons using less than 50,000 gallons per day, including small businesses and farmers, will not be required to meter their withdrawals or use, but will be allowed to use alternate measuring or calculating methods acceptable to the Department.

(30) What is the anticipated effective date of the regulation; the date by which compliance with the regulation will be required; and the date by which any required permits, licenses or other approvals must be obtained?

January 1, 2007

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

By terms of the Water Resources Planning Act, the State Water Plan is required to be updated on a five-year cycle. It is anticipated that this associated regulation will be reviewed on a similar basis.



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INDEPENDENT REGULATORY  
REVIEW COMMISSION

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Copy below is hereby approved as to form and legality.  
Attorney General

By: Angela Elliott  
(Deputy Attorney General)  
NOV 15 2006

DATE OF APPROVAL

☒ Check if applicable  
Copy not approved. Objections attached.

Copy below is hereby certified to be true and  
correct copy of a document issued, prescribed or  
promulgated by:

DEPARTMENT OF ENVIRONMENTAL  
PROTECTION  
ENVIRONMENTAL QUALITY BOARD

(AGENCY)

DOCUMENT/FISCAL NOTE NO. 7-403

DATE OF ADOPTION September 19, 2006

BY: Kathleen A. McGinty

TITLE KATHLEEN A. MCGINTY  
CHAIRPERSON

EXECUTIVE OFFICER CHAIRMAN OR SECRETARY

Copy below is hereby approved as to form and legality  
Executive or Independent Agencies

By: Andrew C. Clark  
OCT 12 2006

(Deputy General Counsel)  
(Chief Counsel - Independent Agency)  
(Strike inapplicable title)

☒ Check if applicable. No Attorney General Approval  
or objection within 30 days after submission.

**NOTICE OF PROPOSED RULEMAKING**

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
ENVIRONMENTAL QUALITY BOARD

Water Resources Planning

25 Pa. Code Chapter 109 and 110





## **PREAMBLE FOR PROPOSED RULEMAKING**

Notice of Proposed Rulemaking  
Department of Environmental Protection  
Environmental Quality Board  
(25 Pa. Code Chapter 110)  
(Water Resources Planning)

The Environmental Quality Board (Board) proposes to amend 25 Pa. Code Chapter 109 (relating to Safe Drinking Water) and to add Chapter 110 (relating to Water Resources Planning). The proposed rulemaking will add a new chapter establishing the requirements for registration of water users and record keeping and reporting of water withdrawal and use information, as required by the Water Resources Planning Act. The regulation specifies who is required to register, keep records and report information related to withdrawals of water in the Commonwealth and details the information that is to be recorded and reported to the Department. The information collected under this regulation is essential to development of the State Water Plan, which is mandated by the Water Resources Planning Act.

This proposal was adopted by the Board at its meeting of September 19, 2006.

### **A. Effective Date**

The proposed rulemaking will go into effect upon publication in the *Pennsylvania Bulletin* as final rulemaking.

### **B. Contact Persons**

For further information contact Susan K. Weaver, Acting Chief, Division of Water Use Planning, P.O. Box 8555, Rachel Carson State Office Building, Harrisburg, PA 17105-8555, (717) 783-8055, or Pamela G. Bishop, Assistant Counsel, Bureau of Regulatory Counsel, P.O. Box 8464, Rachel Carson State Office Building, Harrisburg, PA 17105-8464, (717) 787-7060. Information regarding submitting comments on this proposal appears in Section J of this preamble. Persons with a disability may use the AT&T Relay Service by calling 1-800-654-5984 (TDD users) or 1-800-654-5988 (voice users). This proposal is available electronically through the DEP Web site (<http://www.dep.state.pa.us>).

### **C. Statutory Authority**

The proposed rulemaking is being made under the authority of section 4 of the Pennsylvania Safe Drinking Water Act (35 P.S. §721.4) and section 3118 of the Water Resources Planning Act (27 PA C.S. §3118), which directs the Board to adopt regulations pertaining to reporting by public water suppliers and establishing





The proposed rulemaking is being made under the authority of section 4 of the Pennsylvania Safe Drinking Water Act (35 P.S. §721.4) and section 3118 of the Water Resources Planning Act (27 PA C.S. §3118), which directs the Board to adopt regulations pertaining to reporting by public water suppliers and establishing requirements for the registration, periodic reporting and record keeping of water withdrawals and uses and under the authority of section 1920-A of The Administrative Code, April 9, 1929 (P.L. 177, No. 175), as amended, 71 P.S. Sec. 510-20, authorizing and directing the Board to adopt regulations necessary for the proper performance of the work of the Department.

**D. Background and Purpose**

The Water Resources Planning Act requires the Department to complete a State Water Plan and establishes a water withdrawal registration program to collect data necessary to support the planning process. The Commonwealth does not currently know how much water is used, needed or available. The regulation will provide the data necessary to help answer those questions. The State Water Plan will provide a framework for managing Pennsylvania's water resources to most effectively provide for public health and safety, while protecting aquatic resources. All citizens will benefit from the development of a State Water Plan, which will provide decision-makers a valuable tool to guide investment, development and land use management in a manner that is sustainable and will avoid water shortages and concomitant dislocation. The data collected by this regulation will help create economic opportunity by assisting state and local decision makers to identify water resources available to support sustainable development and will help to avoid unwise investments.

The regulation will require each public water supply agency and each hydropower facility, irrespective of the amount of withdrawal, and each person whose total withdrawal or withdrawal use from one or more points of withdrawal within a watershed operated as a system either concurrently or sequentially exceeds an average rate of 10,000 gallons of water a day in a 30-day period to register, periodically report and keep records of their water use. To avoid duplication of reporting requirements, the proposal recommends amending one section of Chapter 109 to indicate that compliance by Public Water Supply Agencies with Chapter 110 will fulfill compliance with the Chapter 109 annual water supply reporting requirements.

The Act establishes a Statewide Water Resources Committee (Statewide Committee) to assist the Department in developing the State Water Plan. The Statewide Committee is also charged with reviewing and commenting on regulations proposed by the Department under the Act. The Act also establishes six Regional Committees in each of the following major river basins: Delaware River, Upper/Middle Susquehanna River, Lower Susquehanna River, Ohio River, Potomac River and Great Lakes. The Department presented the proposed regulations to both the Statewide and the six Regional Committees for comment. The Statewide and Regional committees considered the proposed regulation at their public meetings held throughout the Commonwealth, at





which the public could also comment. Comments from the public included extensive comments from the PA Chamber of Business and Industry. The Department revised the draft regulations in accordance with those comments.

The Statewide Committee expressed concern about the possibility that fees may be associated with the registration or reporting. No fees are included in the proposed regulations. Other significant concerns related to metering and the level of detail required in the registration and reporting forms. Those concerns have already been addressed by comprehensive revisions to the original draft regulations. The Statewide Committee has recommended moving these proposed regulations to the EQB for consideration and has indicated in writing their support of the regulatory package.

In accordance with the Agricultural Advisory Board Act, the Department presented the draft regulations to the Agricultural Advisory Board at that Board's meeting on June 15, 2005. One item of interest to that Board was the measurement of water usage for large water users. It was explained that the regulations do not propose metering for agricultural operations involving less than 50,000 gallons per day and that flow calculations will be acceptable.

A general statement on the establishment of the Water Resources Technical Assistance Center has been included in section 110.604 of Subchapter F Water Conservation. The Water Resources Technical Assistance Center is an important aspect of the act and the Department is soliciting comments from individuals or organizations on how best to develop the Technical Assistance Center.

#### **E. Summary of Regulatory Requirements**

No companion federal regulations exist.

#### **Chapter 109**

§ 109.701. This section explains the reporting and recordkeeping requirements for Public Water Systems.

#### **Chapter 110**

##### **Subchapter A.**

§ 110.1. The definition section explains the intended meaning for terms used in the regulation.

§ 110.2. This section explains that the Chapter establishes registration, monitoring, record-keeping and reporting requirements that apply to each person who owns a public water

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supply agency or hydropower facility and each person whose total withdrawal or withdrawal use exceeds an average rate of 10,000 gallons per day in any 30-day period.

§ 110.3. This section establishes requirements to register, monitor, maintain records and submit reports regarding withdrawals or uses of water and provides that information submitted to the Department will be subject to the Right to Know Act, unless claimed confidential by the submitter, with adequate justification.

§ 110.4. This section authorizes the Department to make inspections and conduct tests or sampling, or examine books, papers and records, including electronic records to determine compliance with this Chapter.

§ 110.5. This section requires persons subject to Subsection 110.3 (a) to cooperate with the Department in its coordination of the submission of reports under this Chapter with reports required under other statutes and regulations administered by the Department, Compact Basin Commissions, or by other Federal and State agencies.

§ 110.6. This section explains that registration of a withdrawal or use under this Chapter shall not be construed as either a determination of a person's water rights or approval of a withdrawal or use by the Department, another agency of the Commonwealth or a Compact Basin Commission.

#### Subchapter B.

§ 110.201. This section establishes the requirement for persons subject to the regulation to register with the Department the source, location and amount of their withdrawals and withdrawal uses. It exempts from registration those persons who use more than 10,000 gpd if all water is supplied by a public water supply agency and the average consumptive use does not exceed 100,000 gpd over any 30-day period.

§ 110.202. This section establishes the deadlines for submittal of registrations to the Department as not later than March 16, 2004, or 90 days following initiation of a water withdrawal or withdrawal use, whichever is later.

§ 110.203. This section establishes the required content of a registration, including registrant identification and description information; identification, description, including location, and amount, as appropriate, of the following: source, withdrawal or withdrawal use or both, consumptive and nonconsumptive uses, water returned and discharged and water transferred between public water supply agencies via interconnection; and identification and justification of confidential information.

§ 110.204. This section provides for voluntary registration by persons not subject to the regulation.



§ 110.205. This section provides for transfers of registrations and establishes the prerequisites for transfers.

§ 110.206. This section provides for termination of registrations and establishes the prerequisites for termination.

#### Subchapter C.

§ 110.301. This section establishes the requirement for reporting.

§ 110.302. This section establishes the dates for required submission of reports to the Department.

§ 110.303. This section establishes the reporting period for reports required to be submitted to the Department.

§ 110.304. This section prescribes the general contents of reports.

§ 110.305. This section prescribes user-specific contents of reports.

#### Subchapter D.

§ 110.401. This section establishes the requirements for record keeping.

§ 110.402. This section establishes the requirement for retention of records and supporting data to be a period of no less than five years.

#### Subchapter E.

§ 110.501. This section establishes the requirements for metering and measuring. Public water supply agencies must meter to within five percent accuracy. Hydropower facilities and large users (greater than 50,000 gallons per day) must measure to within five percent accuracy. All other users subject to the regulation must measure or calculate their withdrawals or withdrawal uses by a means acceptable to the Department.

§ 110.502. This section establishes the recording frequency of withdrawals and withdrawal uses subject to the regulation.

§ 110.503. This section provides Department authority to require more accurate measurement of withdrawals or withdrawal uses in Critical Water Planning Areas and establishes the criteria for imposing such requirements.

#### Subchapter F.





§ 110.601. This section provides that a person who has implemented a water conservation project or practice may register such project or practice with the Department.

§ 110.602. This section establishes the required information for registration of water conservation projects or practices

§ 110.603. This section requires each person who has registered a water conservation project or practice to submit annual reports to the Department documenting the continuing effectiveness of the project or practice.

§ 110.604. This section requires the Department establish a water resources technical assistance center to promote voluntary water conservation and to provide technical assistance on water resources uses issues.

#### **F. Benefits, Costs and Compliance**

Executive Order 1996-1 requires a cost/benefit analysis of the proposed regulation.

##### **Benefits**

All citizens will benefit from the development of a State Water Plan, which will provide decision-makers a valuable tool to guide investment, development and land use management in a manner that is sustainable and will avoid water shortages and concomitant dislocation. The data collected under this regulation is necessary to development of the State Water Plan.

This regulation will help create economic opportunity by assisting decision makers in identifying water resources available to support sustainable development and will help to avoid unwise investment in unsustainable resources. The Commonwealth does not currently know how much water is used, needed or available. The regulation will provide the data necessary to help answer those questions.

##### **Compliance Costs**

All persons who withdraw or use 10,000 gallons of water or more per day and all public water suppliers and hydropower facilities will be required to register and report, under the regulations. One time metering costs, for meter equipment, for a limited number of public water suppliers who don't currently meter their sources, may range from \$50 to \$2,000 per registered source. Annual costs for record keeping and reporting may range from 1 to 12 work-days per year per registrant. Many users, including most that are currently regulated by either the Department or the SRBC or DRBC, already have





the necessary record keeping and reporting processes in place and should incur no additional costs. Consolidation of reporting requirements may result in reduced costs for some of those users.

### **Compliance Assistance Plan**

Registration workshops were held across the state in 2004 to assist in the initial registration required by the act. No additional workshops are planned.

### **Paperwork Requirements**

Persons subject to the regulation will be required to submit an initial registration form for each source of water withdrawal, describing the location and quantity of withdrawal and type of use. Annually, thereafter, they will be required to submit a report of their monthly total withdrawals from each source and their total monthly water use. Under the regulations, the registration and reporting requirements of the Department, including the Annual Water Supply Report under the Safe Drinking Water Act, and the Susquehanna and Delaware River Basin Commissions will be consolidated in single registration and reporting forms to be submitted solely to the Department.

### **G. Pollution Prevention**

The Federal Pollution Prevention Act of 1990 established a national policy that promotes pollution prevention as the preferred means for achieving state environmental protection goals. DEP encourages pollution prevention, which is the reduction or elimination of pollution at its source, through the substitution of environmentally-friendly materials, more efficient use of raw materials, and the incorporation of energy efficiency strategies. Pollution prevention practices can provide greater environmental protection with greater efficiency because they can result in significant cost savings to facilities that permanently achieve or move beyond compliance. This regulation has incorporated the following pollution prevention incentives:

Water conservation practices encouraged and fostered by these regulations will result in decreased withdrawals of water and discharges of wastewater. Reduced energy consumption and chemical use will also be realized. Less diminution of stream flows, particularly during periods of low flows is pollution prevention as recognized by the courts. In addition, reductions in wastewater discharges will reduce pollution of our water resources.

### **H. Sunset Review**

This regulation will be reviewed in accordance with the sunset review schedule published by the Department to determine whether the regulation effectively fulfills the goals for which it was intended.



**I. Regulatory Review**

Under Section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on November 17, 2006, the Department submitted a copy of these proposed amendments to the Independent Regulatory Review Commission (IRRC) and the Chairpersons of the House and Senate Environmental Resources and Energy Committees. In addition to submitting the proposed amendments, the Department has provided IRRC and the Committees with a copy of a detailed regulatory analysis form prepared by the Department. A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, IRRC may convey any comments, recommendations or objections to the proposed regulations within 30 days of the close of the public comment period. The comments, recommendations or objections shall specify the regulatory review criteria that have not been met. The Act specifies detailed procedures for review of these issues by the Department, the General Assembly and the Governor prior to final publication of the regulations.

**J. Public Comments**

**Written Comments** - Interested persons are invited to submit comments, suggestions, or objections regarding the proposed regulation to the Environmental Quality Board, P.O. Box 8477, Harrisburg, PA 17105-8477 (express mail: Rachel Carson State Office Building, 16th Floor, 400 Market Street, Harrisburg, PA 17101-2301). Comments submitted by facsimile will not be accepted. Comments, suggestions or objections must be received by the Board by January 2, 2007. Interested persons may also submit a summary of their comments to the Board. The summary may not exceed one page in length and must also be received by January 2, 2007. The one-page summary will be provided to each member of the Board in the agenda packet distributed prior to the meeting at which the final regulation will be considered.

**Electronic Comments** - Comments may be submitted electronically to the Board at [RegComments@state.pa.us](mailto:RegComments@state.pa.us) and must also be received by the Board by January 2, 2007. A subject heading of the proposal and a return name and address must be included in each transmission.

BY:

KATHLEEN A. MCGINTY  
Chairperson  
Environmental Quality Board





ANNEX A  
TITLE 25. ENVIRONMENTAL PROTECTION  
PART I. DEPARTMENT OF ENVIRONMENTAL PROTECTION  
Subpart C. PROTECTION OF NATURAL RESOURCES  
ARTICLE II. WATER RESOURCES  
Chapter 109. Safe Drinking Water

**Subchapter G. SYSTEM MANAGEMENT RESPONSIBILITIES**

**§ 109.701. Reporting and recordkeeping.**

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- (b) *Reporting requirements for community water systems.* In addition to the reporting requirements for a public water system, a community water supplier shall comply with the following requirements:

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(2) [The water supplier shall submit by March 31 an annual water supply report for the prior calendar year on forms provided by the department or in a form acceptable to the department. This report shall include information relating to water use, connections, distribution system and storage.] **The water supplier shall comply with the applicable requirements of registration, reporting, recordkeeping and monitoring in Subchapters B through E, Registration, Reporting, Recordkeeping and Monitoring, in Chapter 110.**

**Chapter 110. Water Resources Planning**

**Subchapter A. GENERAL PROVISIONS**

**§ 110.1. Definitions.**

The following words and phrases when used in this chapter shall have the meanings given to them in this section unless the context clearly indicates otherwise:

*Basin*- The watershed of one of the following major rivers or hydrologic systems: the Delaware River; the Great Lakes; the Ohio River; the Potomac River; and the Susquehanna River.

*Calculate or calculation* – Mathematical computations, or the act of computing, for the purposes of water use registration or reporting, or both, usually based on pump intake rate and duration of pumping or similar factors.

*Confidential information*

- (i) Records, reports or information, or a particular portion thereof, that if made public would:
- (A) Divulge production or sales figures or methods, processes or production unique to a person;
  - (B) Otherwise tend to affect adversely the competitive position of a person by revealing

trade secrets, including intellectual property rights; or

(C) Present threats to the safety and security of water supplies, including information concerning public water supply agency vulnerability assessments.

(ii) The term does not include any of the following:

(A) Information identifying the general source of water used by a facility.

(B) Information reporting the total amount of water withdrawn by a facility or the total amount of water used for consumptive uses or nonconsumptive uses by a facility.

*Compact basin commission* - An interstate commission having jurisdiction with respect to the planning, development or regulation of water resources within a basin in Pennsylvania, created by interstate compact or Federal-interstate compact.

*Consumptive use* - The loss of water from a groundwater or surface water source through a manmade conveyance system, including such water that is purveyed through a public water supply system, due to transpiration by vegetation, incorporation into products during their manufacture, evaporation, diversion out of a basin or any other process to the extent that the water withdrawn is not returned to the waters of a basin. Deep well injection shall not be considered a return of waters to a basin.

*Critical water planning area* - An area identified under section 3112(a)(6) or (d)(1) of the act of December 16, 2002 (P.L. 1776, No. 220), known as the Water Resources Planning Act.

*Deep well injection* - Injection of waste or wastewater substantially below aquifers containing fresh water.

*Department* - The Department of Environmental Protection of the Commonwealth.

*Groundwater* - Water beneath the surface of the ground within a zone of saturation, whether or not flowing through known and definite channels or percolating through underground geologic formations and regardless of whether the result of natural or artificial recharge. The term includes water contained in aquifers, artesian and nonartesian basins, underground watercourses and other bodies of water below the surface of the earth.

*Hydropower facility* - A facility that produces electricity by the action of water, not including steam, passing through a turbine.

*Municipality* - Any county, city, borough, town, township or home rule municipality or any agency or authority created by any one or more of the foregoing.

*Nonconsumptive use* - A use of water withdrawn from water resources of this Commonwealth in such manner that it is returned to its basin of origin. Where only a portion of the water withdrawn is returned to the basin of origin, that portion which is returned is a nonconsumptive use, and the portion of water withdrawn which is not returned to the basin of origin is a consumptive use.

*Person* - An individual, partnership, association, company, corporation, municipality, municipal authority, Federal or Commonwealth administrative agency or an entity which is recognized by law as the subject of rights and obligations. The term shall include the officers, employees and agents of any legal entity.

*Public water supply agency* - A community water system as defined by the act of May 1, 1984 (P.L.

206, No. 43), known as the Pennsylvania Safe Drinking Water Act, or any person subject to the act of June 24, 1939 (P.L. 842, No. 365), referred to as the Water Rights Law.

*Source* – The point of withdrawal of water within a watershed. If the withdrawal use includes the transfer of water through interconnections, the source is the point of the interconnection.

*Statewide committee* – The Statewide Water Resources Committee.

*Surface water* - Water on the surface of the earth, including water in a perennial or intermittent watercourse, lake, reservoir, pond, spring, wetland, estuary, swamp or marsh, or diffused surface water, whether such body of water is natural or artificial. The term does not include recirculated process water or wastewater stored in an off-stream impoundment, pond, tank or other device unless such water or wastewater is withdrawn and used by a person other than the person who initially withdrew the water from a water resource or obtained such water from a public water supply agency.

*System* – Two or more facilities that are adjacent or geographically proximate to each other, operated concurrently or sequentially for use in a common operation and owned, managed or operated by the same person.

*Water conservation project or practice* - A project or practice which is technically feasible and economically practicable and which is designed to accomplish any of the following:

- (i) Reduce the demand for water.
- (ii) Improve efficiency in water use and reduce leakage, losses and waste of water.
- (iii) Improve reuse and recycling of water.
- (iiii) Improve land management practices to conserve water or to preserve or increase groundwater recharge.

*Watercourse* - A distinct natural or artificial body of water flowing perennially or intermittently in a defined channel with bed and banks. The term includes a river, creek, stream, slough or canal.

*Water resource* - Surface water or groundwater, within or on the boundaries of this Commonwealth.

*Watershed* - The drainage area of a watercourse of a minimum drainage area determined in accordance with guidelines developed by the Department.

*Withdrawal* - The removal or taking of water from any water resource, whether or not returned to the water resource.

*Withdrawal use or use* - Any use of water which is withdrawn, including, but not limited to, domestic, municipal, public, commercial, industrial, energy development and production and agricultural water supply. The term includes the use of water transferred through interconnections but shall not include transfer of water within a system operated by the same public water supply agency.

## **§ 110.2. Purpose.**

This Chapter establishes the registration, monitoring, record-keeping and reporting requirements that apply, for purposes of developing data for the State Water Plan, to each person who owns a public water supply agency or hydropower facility and each person whose total withdrawal or withdrawal use from a point of withdrawal, or from multiple points of withdrawal operated as a system either concurrently or sequentially, within a watershed exceeds an average rate of 10,000 gallons per day in any 30-day period.

**§ 110.3. General requirements.**

(a) Each person who owns a public water supply agency or hydropower facility and each person whose total withdrawal or withdrawal use from a point of withdrawal, or from multiple points of withdrawal operated as a system either concurrently or sequentially, within a watershed exceeds an average rate of 10,000 gallons per day in any 30-day period shall register, monitor, maintain records and submit reports to the Department regarding withdrawals or uses of water in accordance with this Chapter.

(b) **Confidential Information**

(1) Except as provided in Subsection (2), information required to be submitted to the Department under this Chapter shall be subject to the provisions of the Act of June 21, 1957 (P.L. 390, No. 212), referred to as the Right to Know Act.

(2) Each person who submits information under this Chapter that they claim is confidential information must identify the confidential information and provide a justification for its confidential nature.

**§ 110.4. Inspection authorization.**

The Department, its employees and duly authorized agents are authorized, during reasonable hours and upon reasonable notice, to make inspections and conduct tests or sampling, or examine books, papers and records, including electronic records, pertinent to a matter under investigation, in order to determine compliance with this Chapter, as it deems necessary. The persons subject to Subsection 110.3 (a) shall grant access to, and make available upon request of, the Department, its employees and duly authorized agents, all facilities and records necessary for conducting such inspections, tests, sampling or examinations.

**§ 110.5. Coordination with reports under other statutes.**

(a) The persons subject to Subsection 110.3 (a) shall cooperate with the Department in its coordination of the submission of reports under this Chapter with reports required under other statutes and regulations administered by the Department, Compact Basin Commissions, or by other Federal and State agencies.

(b) The persons subject to Subsection 110.3 (a) shall submit information in accordance with joint reporting forms developed by the Department to facilitate the submission of information required under other statutes and regulations administered by the Department, Compact Basin Commissions, and other Federal and State agencies, to reduce duplicate and repetitious reporting requirements. The joint forms shall be used in lieu of individual forms for the required reports.

**§ 110.6. Effect of registration.**

(a) Registration of a withdrawal or use under this Chapter will provide knowledge of existing uses, essential in the state water planning process to the development of accurate watershed water budgets, which are the foundation of comprehensive regional water plans and critical area resource plans. Registration will provide the Department and Compact River Basin Commissions information regarding locations and quantities of existing uses, that can be used to help protect those uses when new projects are under consideration for approval.

(b) Registration of a withdrawal or use under this Chapter shall not be construed as either a determination of a person's water rights or approval of a withdrawal or use by the Department, another agency of the Commonwealth or a Compact Basin Commission.



## **Subchapter B. REGISTRATION**

### **§ 110.201 Registration requirement.**

The following persons shall register with the Department, the information specified in Section 110.203:

- (1) Each owner of a public water supply agency
- (2) Each owner of a hydropower facility
- (3) Each person whose total withdrawal or withdrawal use from a point of withdrawal, or from multiple points of withdrawal operated as a system either concurrently or sequentially, within a watershed exceeds an average rate of 10,000 gallons per day in any 30-day period, except if all water is supplied by a public water supply agency and the average consumptive use is less than 100,000 gallons per day over any 30-day period.

### **§ 110.202. Submission of registrations.**

Registrations shall be submitted to the Department not later than March 16, 2004, or 90 days following initiation of a water withdrawal or withdrawal use, whichever is later.

### **§ 110.203. Content of registration.**

Registrant shall provide information, on forms prescribed by the Department and developed in consultation with the Statewide Water Resources Committee, including:

- (1) Registrant identification and description information
- (2) Identification, description, including location, and amount, as appropriate, of the following: source, withdrawal or withdrawal use or both, consumptive and nonconsumptive uses, water returned and discharged and water transferred between public water supply agencies via interconnection
- (3) Identification and justification of confidential information

### **§ 110.204. Voluntary registration.**

A person, not subject to the registration requirements of § 110.201, who withdraws or uses water, may voluntarily register with the Department their water withdrawal or use, in accordance with the registration provisions of this subchapter. Notwithstanding Sections 110.301 (relating to Reporting requirement) and 110.401 (relating to Monitoring and record keeping requirement), voluntary registrants shall monitor, maintain records and report to the Department in accordance with all other provisions of Subchapters C, D and E, Reporting, Record Keeping, and Monitoring.

### **§ 110.205. Transfer of registration.**

The Department will transfer a registration, if the following conditions are met:

- (1) The registrant and transferee are in compliance with all requirements of this Chapter.
- (2) No later than 30 days subsequent to the transfer, the transferee submits to the Department:
  - (i) A request for transfer of the registration, on a form prescribed by the Department, and
  - (ii) A written statement signed by the registrant and the transferee, containing the date of the transfer of registration and acknowledging the transferee's record-keeping and reporting responsibilities.

**§ 110.206. Termination of registration.**

(a) Except for a public water supply agency or hydropower facility, where a registered withdrawal or use over a twelve-month period continues to be an amount less than the 30-day average threshold amount requiring registration as specified in Subsection 110.201(3), the person responsible for such withdrawal or use may file with the Department, on forms provided by the Department, a written request for termination of registration.

(b) Where a registered withdrawal or use over a twelve-month period is zero, or if a withdrawal or use has been abandoned, the person responsible for such withdrawal or use may file with the Department, on forms provided by the Department, a written request for termination of registration.

(c) Upon receipt of proper written request for termination, the Department will terminate the registration and notify the registrant.

(d) Where a registered withdrawal or use over seven consecutive twelve-month periods is zero, based upon reports submitted in accordance with Subchapter C, the Department will terminate the registration and notify the registrant.

**Subchapter C. REPORTING**

**§ 110.301. Reporting requirement.**

Each person subject to § 110.201 (relating to Registration requirement) shall submit reports to the Department in accordance with this subchapter, regarding their withdrawal and use, excepting registrations that have been terminated in accordance with Subsection 110.206.

**§ 110.302. Submission of reports.**

Reports shall be submitted to the Department, on forms prescribed by the Department and developed in consultation with the Statewide Water Resources Committee, annually or less frequently as may be prescribed by the Department, no later than:

- (1) March 31 – Public water supply agency
- (2) June 30 – Any user except a public water supply agency, including:
  - (i) Power generation facility
  - (ii) Manufacturing industry user
  - (iii) Mineral industry user
  - (iv) Bulk, vended, retail and bottled water systems
  - (v) Agricultural user
  - (vi) Golf course user
  - (vii) Ski Resort
  - (viii) Other user

**§ 110.303. Reporting period.**

Reports shall provide information for the calendar year preceding the date of submission.

**§ 110.304. General contents of report.**

Reports shall include all items under §110.203 (relating to Content of registration).

**§ 110.305. User-specific contents of report.**

In addition to the contents specified in §110.203 (relating to Content of registration), registrants shall submit user-specific information, including:

- (1) Public water supply agency
  - (i) Connections and water transfers
  - (ii) Service area map
  - (iii) Metering
  - (iv) Storage information
- (2) Power generation facility including hydropower and thermo-electric
  - (i) Energy source type
  - (ii) Generating capacities
  - (iii) Generating units
  - (iv) Storage information
- (3) Manufacturing industry
  - (i) Employment
  - (ii) Storage information
- (4) Mineral industry
  - (i) Types of operations
  - (ii) Water quality
  - (iii) Employment
  - (iv) Storage information
- (5) Bulk, vended, retail and bottled water
  - (i) Employment
  - (ii) Storage information
- (6) Agriculture
  - (i) Irrigation water use
  - (ii) Animal water use
  - (iii) Storage information
- (7) Golf course
  - (i) Irrigated areas and water use by tees, greens, fairways and other land coverages
  - (ii) Irrigation system information
  - (iii) Employment
  - (iv) Storage information
- (8) Ski resort
  - (i) Number and acreage of slopes and trails
  - (ii) Areas covered by snowmaking
  - (iii) Snowmaking capacities, and water use
  - (iv) Employment
  - (v) Storage information

**Subchapter D. RECORD KEEPING**

**§ 110.401. Record keeping requirement.**

Each person subject to § 110.201 (relating to Registration requirement) shall make and maintain a record of all the items required under Subchapters B and C, Registration and Reporting, including supporting data, excepting registrations that have been terminated in accordance with Subsection 110.206.

**§ 110.402. Retention of records.**

All records created pursuant to § 110.401 (relating to Record keeping requirement), including supporting data, shall be kept for a period of no less than five years.

**Subchapter E. MONITORING**

**§ 110.501. Metering and measuring requirement.**

(a) Each public water supply agency shall measure its withdrawals or uses by means of a continuous-recording device or flow meter, accurate to within five percent of actual flow.

(b) Each hydropower facility shall measure its withdrawal or use by means of a continuous-recording device or flow meter or shall calculate its withdrawal or use based upon electrical generation or turbine flow rates or other method, accurate to within five percent of actual flow.

(c) The following persons shall measure or calculate their withdrawals or uses by means of a continuous-recording device or flow meter or other method, accurate to within five percent of actual flow: Each person whose total withdrawal or withdrawal use from a point of withdrawal, or from multiple points of withdrawal operated as a system either concurrently or sequentially, within a watershed equals or exceeds an average rate of 50,000 gallons per day in any 30-day period, except if all water is supplied by a public water supply agency and the average consumptive use is less than 100,000 gallons per day over any 30-day period.

(d) The Department may grant exceptions to the five-percent performance standard, if maintenance of the five-percent performance standard is not technically feasible or economically practicable.

(e) Each person who is subject to Compact Basin Commission requirements more stringent than those provided in this section shall measure their withdrawal or use in accordance with the more stringent requirements.

(f) The following persons shall measure or calculate their withdrawals or uses by a means acceptable to the Department:

(1) Each person, who is not subject to paragraphs (a) through (e), whose total withdrawal or withdrawal use from a point of withdrawal, or from multiple points of withdrawal operated as a system either concurrently or sequentially, within a watershed exceeds an average rate of 10,000 gallons, but is less than 50,000 gallons, per day in any 30-day period.

(2) Each person who has voluntarily registered.

**§ 110.502. Recording frequency.**

Withdrawals and uses subject to subsections 110.501 (a) and (b) (relating to metering and measuring requirement) shall be recorded on a daily basis. Withdrawals and uses subject to subsection 110.501 (c) (relating to metering and measuring requirement) shall be recorded on a weekly basis. All withdrawals

and uses subject to subsection 110.501 (e) and (f) (relating to metering and measuring requirement) shall be recorded monthly.

#### **§ 110.503. Measuring requirement in Critical Water Planning Areas**

(a) The Department may require persons within a Critical Water Planning Area, whose total withdrawal or withdrawal use from a point of withdrawal, or from multiple points of withdrawal operated as a system either concurrently or sequentially, within a watershed exceeds an average rate of 10,000 gallons per day in any 30-day period, to measure or calculate their withdrawals by means of a more accurate measuring method (but not more accurate than 5%) and record such measurements on a more frequent basis (not to exceed daily) than required in accordance with Sections 110.501 (relating to metering and measuring requirement) and 110.502 (relating to recording frequency), if the Department determines that more accurate data is required for the development of a Critical Area Resource Plan in a watershed within a Critical Water Planning Area. Upon receipt of written notice from the Department, such persons shall begin such measurements or calculations within 180 days.

(b) In making such determination, the department will consider the necessity of requiring more accurate data and having it recorded more frequently than required by Sections 110.501 and 110.502, from various categories of water users, for effective critical area resource planning in the specific watershed and the costs to registrants of providing such accuracy and frequency.

### **Subchapter F. WATER CONSERVATION**

#### **§ 110.601. Registration.**

A person who has implemented a water conservation project or practice may register such project or practice with the Department.

#### **§ 110.602. Registration information.**

Registration of water conservation projects or practices shall be on forms, prescribed by the Department, containing information including the following:

- (1) Registrant name and address
- (2) A 7.5-minute U.S.G.S. Quadrangle map, or acceptable substitute, showing the location of the project or practice
- (3) A description of the project or practice, including information detailing:
  - (i) Description of project or practice prior and subsequent to implementation of water conservation program
  - (ii) Description of quantity of water use prior and subsequent to implementation of water conservation program
  - (iii) Description of quantity of consumptive use prior and subsequent to implementation of water conservation program
  - (iv) Description of reuse or recycling of water
  - (v) Description of increase of supply or storage of water
  - (vi) Description of increase of groundwater recharge
  - (vii) Description of conservation-based rate structure
  - (viii) Description of water use efficiency, including plumbing retrofit programs
  - (ix) Description of reduction of water loss
  - (x) Description of water provided to offset water use during drought periods.



**§ 110.603. Reporting.**

Each person who has registered a water conservation project or practice in accordance with this Subchapter shall submit to the Department, on forms prescribed by the Department and developed in consultation with the Statewide Water Resources Committee, annually or less frequently as may be prescribed by the Department, a report documenting the continuing effectiveness of the project or practice.

**§ 110.604. Water Resources Technical Assistance Center.**

The Department will establish a water resources technical assistance center to promote voluntary water conservation and to provide technical assistance on water resources uses issues, including programs identified in Section 3120(a) of the act.



Pennsylvania Department of Environmental Protection

Rachel Carson State Office Building

P.O. Box 2063

Harrisburg, PA 17105-2063

November 17, 2006

Policy Office

717-783-8727

Kim Kaufman, Executive Director  
Independent Regulatory Review Commission  
14th Floor, Harrisburg #2  
333 Market Street  
Harrisburg, PA 17120

RECEIVED  
2006 NOV 17 PM 12:08  
INDEPENDENT REGULATORY  
REVIEW COMMISSION

Re: Proposed Regulation – Water Resources Planning (#7-403)

Dear Mr. Kaufman:

Enclosed is a copy of a proposed regulation for review and comment by the Independent Regulatory Review Commission pursuant to Section 5(a) of the Regulatory Review Act. This proposal is scheduled for publication as a proposed rulemaking in the *Pennsylvania Bulletin* on December 2, 2006 with a 30-day public comment period. The Environmental Quality Board adopted this proposal at its September 19, 2006 meeting.

The Water Resources Planning Act (Act 220 of 2002) requires the Department of Environmental Protection to update the Pennsylvania State Water Plan before March 16, 2008. In order to obtain accurate information for water resources planning, the Department is required to develop regulations with requirements for the registration, record keeping and periodic reporting of withdrawals and withdrawal use of water. The Act also specifies that the regulations include a process where water users may document and register practices or projects that they have implemented to reduce water withdrawals or consumptive use, promote groundwater recharge or otherwise conserve or enhance water supplies, for consideration and use in providing appropriate recognition and credit during the implementation of existing or future water supply programs. This proposal to amend 25 Pa. Code, Chapters 109 & 110 will implement the requirements of the Act and has been developed with the assistance of the Statewide Water Resources Committee.

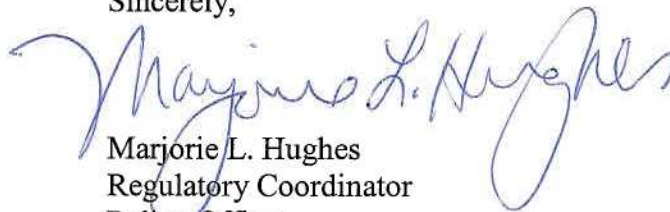
The Department will provide assistance as necessary to facilitate the Commission's review of this proposed regulation under Section 5.1(e) of the Regulatory Review Act.





Please contact me if you would like additional information.

Sincerely,



Marjorie L. Hughes  
Regulatory Coordinator  
Policy Office

Enclosures







COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
OFFICE OF POLICY

RECEIVED

TRANSMITTAL SHEET FOR REGULATIONS SUBJECT TO  
THE REGULATORY REVIEW ACT

2006 NOV 17 PM 12:08

INDEPENDENT REGULATORY  
REVIEW COMMISSION

I.D. NUMBER: 7403

SUBJECT: WATER RESOURCES PLANNING

AGENCY: DEPARTMENT OF ENVIRONMENTAL PROTECTION

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 Tolded Regulation
- a. ☐ With Revisions      b. ☐ Without Revisions

FILING OF REGULATION

DATE

SIGNATURE

DESIGNATION

11/17/06 Constance Reddick

Majority Chair, HOUSE COMMITTEE ON  
ENVIRONMENTAL RESOURCES & ENERGY

11/17/06 D. Neuf

Minority Chair, HOUSE COMMITTEE ON  
ENVIRONMENTAL RESOURCES & ENERGY

11/17/06 John Castella

Majority Chair, SENATE COMMITTEE ON  
ENVIRONMENTAL RESOURCES & ENERGY

11/17/06 Andrea Velella

Minority Chair, SENATE COMMITTEE ON  
ENVIRONMENTAL RESOURCES & ENERGY

11/17/06 KM Sharpe

INDEPENDENT REGULATORY REVIEW COMMISSION

ATTORNEY GENERAL (for Final Omitted only)

11-17-06 BUT

LEGISLATIVE REFERENCE BUREAU (for Proposed only)

