

**INDEPENDENT REGULATORY REVIEW COMMISSION
APPROVAL ORDER**

Commissioners Voting:

Public Meeting Held August 16, 2012

Silvan B. Lutkewitte, III, Chairman
George D. Bedwick, Vice Chairman
John F. Mizner, Esq., Dissenting
Lawrence J. Tabas, Esq., by Proxy
Dennis A. Watson, Esq., Dissenting

Regulation No. 7-460 (#2864)
Environmental Quality Board
Noncoal Mining Fees

On August 18, 2010, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Quality Board (Board). This rulemaking amends 25 Pa. Code Chapter 77. The proposed regulation was published in the August 28, 2010 *Pennsylvania Bulletin* with a 30-day public comment period. At its June 21, 2012 public meeting, the Commission voted to disapprove the final-form regulation. On July 26, 2012, the Board submitted its report and the final-form regulation, without changes, to the Commission.

This final-form rulemaking establishes fees to support the Noncoal Mining Program.

We have determined this regulation is consistent with the statutory authority of the Board (52 P.S. §§ 3307(a) and 3311(a)) 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", is written over a horizontal line.

Silvan B. Lutkewitte, III, Chairman