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INDEPENDENT REGULATORY REVIEW COMMISSION
333 MARKET STREET, 14TH FLOOR, HARRISBURG, PA 17101

March 25, 1999

Honorable James M. Seif, Chairman
Environmental Quality Board
Rachel Carson State Office Building
400 Market Street, 16th Floor
Harrisburg, PA 17105

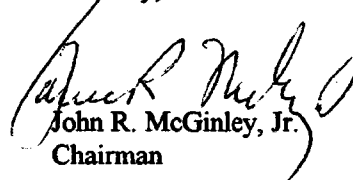
Re: IRRC Regulation #7-337 (#1948)
Environmental Quality Board
Bottled Water Systems; Permit by Rule

Dear Chairman Seif:

The Independent Regulatory Review Commission approved the subject regulation at its March 26, 1999 public meeting. Our Order is enclosed and is available on our website at <http://www.irrc.state.pa.us>.

We appreciate the joint effort that went into producing a regulation that met the criteria and intent of the Regulatory Review Act.

Sincerely,


John R. McGinley, Jr.
Chairman

JRM:cae
Enclosure
cc: Sharon Freeman
Barbara Sexton

INDEPENDENT REGULATORY REVIEW COMMISSION

14th Floor, 333 Market Street
Harrisburg, PA 17101

Commissioners Present:

Public Meeting Held March 25, 1999

John R. McGinley, Jr., Chairman
Alvin C. Bush, Vice Chairman
Arthur Coccodrilli
Robert J. Harbison, III
John F. Mizner

Environmental Quality Board
Bottled Water Systems; Permit by Rule

Regulation No. 7-337

BY ORDER OF THE COMMISSION

On April 28, 1998, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Quality Board (EQB). This rulemaking amends 25 Pa. Code Chapter 109. The authority for this regulation is contained in Section 4 of the Pennsylvania Safe Drinking Water Act (35 P.S. Section 721.4). The proposed regulation was published in the May 9, 1998 edition of the *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on February 23, 1999.

The EQB is amending its regulations for bottled water systems. The current regulation requires that when there is a major modification to the processing of bottled water or its facility, the operator must obtain an amended permit. The proposal will allow in-state bottled water systems to obtain a permit by rule for major modifications instead of seeking an amendment to its permit. The permit by rule will provide Pennsylvania bottlers greater flexibility and opportunity to respond to market conditions and increase competitiveness with out-of-state bottlers.

We have reviewed this regulation and find it to be in the public interest. The regulation will provide a streamlined process for bottled water companies to modify their processes, while maintaining the safe production of drinking water.

THEREFORE, IT IS ORDERED THAT:

1. Regulation No. 7-337 from the Environmental Quality Board, as submitted to the Commission on February 23, 1999, is approved; and
2. The Commission will transmit a copy of this Order to the Legislative Reference Bureau.



John R. McGinley, Jr., Chairman

