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ROBERT J. HARBISON, III
JOHN F. MIZNER, ESQ.
ROBERT E. NYCE, EXECUTIVE DIRECTOR
MARY S. WYATTE, CHIEF COUNSEL



PHONE: (717) 783-5417
FAX: (717) 783-2664
irrc@irrc.state.pa.us
<http://www.irrc.state.pa.us>

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

September 9, 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 #7-341 (#1981)
Environmental Quality Board
Gasoline Volatility Requirements

Dear Chairman Seif:

The Independent Regulatory Review Commission approved the subject regulation at its September 9, 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,

A handwritten signature in cursive script, appearing to read "Alvin C. Bush".

Alvin C. Bush
Vice Chairman

ACB:cae
Enclosure
cc: Sharon Freeman
Barbara Sexton

INDEPENDENT REGULATORY REVIEW COMMISSION

14th Floor, 333 Market Street
Harrisburg, PA 17101

Commissioners Present:

Public Meeting Held September 9, 1999

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

Environmental Quality Board
Gasoline Volatility Requirements

Regulation No. 7-341

BY ORDER OF THE COMMISSION

On September 8, 1998, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Quality Board (EQB). It amends Chapters 121, 126, and 139 of 25 Pa. Code. The authority for this regulation is Section 5 of the Air Pollution Control Act (35 P.S. § 4005). The proposed rulemaking was published in the *Pennsylvania Bulletin* on September 26, 1998, with a 67-day public comment period. The final-form regulation was submitted to the Commission on August 3, 1999.

These amendments eliminate the use of federal reformulated gasoline (RFG) as a compliant fuel in the Pittsburgh-Beaver Valley area during the ozone season (from May 1 to September 15) of each year. They respond to public concern that RFG is not a suitable alternative fuel for the Pittsburgh-Beaver Valley area because it contributes to emissions of volatile organic compounds that exceed the health-based standard for ground level ozone.

The amendments also include a technical correction in language referencing sampling procedures for fuel volatility. Finally, the final regulation reduces the on-site recordkeeping requirements for retail gasoline facilities.

We have reviewed this regulation and find it to be in the public interest. Approximately 2.8 to 3.0 million people in the affected seven counties will benefit from the sale of cleaner-burning low Reid Vapor Pressure (RVP) gasoline as the sole compliant fuel during the ozone season, starting in the year 2000. There will be no increased cost to the regulated community to produce compliant RVP gasoline because it is already widely used during the ozone season.

THEREFORE, IT IS ORDERED THAT:

1. Regulation No. 7-341 from the Environmental Quality Board, as submitted to the Commission on August 3, 1999, is approved; and
2. The Commission will transmit a copy of this Order to the Legislative Reference Bureau.



Alvin C. Bush, Vice Chairman

