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

August 24, 2000

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

Re: Regulation #7-345 (IRRC #2009)
Environmental Quality Board
Interstate Ozone Transport Reduction

Dear Chairman Seif:

The Independent Regulatory Review Commission approved your regulation on August 24, 2000. Our Order is enclosed and is available on our website at 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 black ink, appearing to read "Robert E. Nyce".

Robert E. Nyce
Executive Director

wbg

Enclosure

cc: Honorable Arthur D. Hershey, Majority Chairman, House Environmental Resources & Energy Committee
Honorable Camille George, Democratic Chairman, House Environmental Resources & Energy Committee
Honorable Mary Jo White, Chairman, Senate Environmental Resources & Energy Committee
Honorable Raphael J. Musto, Minority Chairman, Environmental Resources & Energy Committee
Sharon Freeman
Barbara Sexton

**INDEPENDENT REGULATORY REVIEW COMMISSION
APPROVAL ORDER**

Commissioners Voting:

Public Meeting Held August 24, 2000

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

Regulation No. 7-345
Environmental Quality Board
Interstate Ozone Transport Reduction

On February 17, 1999, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Quality Board (EQB). This rulemaking amends 25 Pa. Code Chapter 123 and adds Chapter 145. The proposed regulation was published in the March 6, 1999 *Pennsylvania Bulletin* with a 65-day public comment period. The final-form regulation was submitted to the Commission on August 3, 2000.

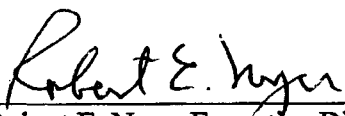
The EQB is revising its cap and trade regulation to further limit the emission of nitrogen oxides (NO_x) from fossil fuel fired combustion units and electric generating units. The regulation is designed to meet the Environmental Protection Agency's requirement for a NO_x State Implementation Plan.

We have determined this regulation is not contrary to the statutory authority of the Environmental Quality Board (35 P.S. § 4005) 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.




Robert E. Nyce, Executive Director