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

August 22, 2002

Honorable David E. Hess, Chairman
Environmental Quality Board
Rachel Carson State Office Building
400 Market Street, 16th Floor
Harrisburg, PA 17101

Re: Regulation #7-369 (IRRC #2227)
Environmental Quality Board
Portable Fuel Containers

Dear Chairman Hess:

The Independent Regulatory Review Commission approved your regulation on August 22, 2002. 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 meets 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
wbg
Enclosure

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

**INDEPENDENT REGULATORY REVIEW COMMISSION
APPROVAL ORDER**

Commissioners Voting:

Public Meeting Held August 22, 2002

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

Regulation No. 7-369
Environmental Quality Board
Portable Fuel Containers

On October 26, 2001, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Quality Board (EQB). This rulemaking adds Chapter 130 to 25 Pa. Code. The proposed regulation was published in the November 10, 2001 *Pennsylvania Bulletin* with a 67-day public comment period. The final-form regulation was submitted to the Commission on July 24, 2002.

The regulation establishes performance standards for portable fuel containers and spouts. It also contains a process by which a manufacturer can apply for an innovative products exemption from the performance standards contained in the regulation.

We have determined this regulation is consistent with the statutory authority of the EQB (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.



Alvin C. Bush, Vice Chairman