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

August 25, 2005

Honorable Kathleen A. McGinty, Chairperson
Environmental Quality Board
Rachel Carson State Office Building
400 Market Street, 16th Floor
Harrisburg, PA 17101

Re: Regulation #7-391 (IRRC #2412)
Environmental Quality Board
Concentrated Animal Feeding Operations and Other Agricultural Operations

Dear Chairperson McGinty:

The Independent Regulatory Review Commission approved the subject regulation today. Our order is enclosed and will be 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,

Alvin C. Bush
Acting Chairman

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Enclosure

cc: Honorable Mary Jo White, Chairman, Senate Environmental Resources and Energy Committee
Honorable Raphael J. Musto, Minority Chairman, Senate Environmental Resources and Energy Committee
Honorable William F. Adolph, Jr., Majority Chairman, House Environmental Resources and Energy Committee
Honorable Camille George, Democratic Chairman, House Environmental Resources and Energy Committee

**INDEPENDENT REGULATORY REVIEW COMMISSION
APPROVAL ORDER**

Commissioners Voting:

Public Meeting Held August 25, 2005

Alvin C. Bush, Acting Chairman
Arthur Coccodrilli
John F. Mizner, Esq., by Phone
Murray Ufberg, Esq.

Regulation No. 7-391
Environmental Quality Board
Concentrated Animal Feeding Operations and
Other Agricultural Operations

On July 28, 2004, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Quality Board (EQB). This rulemaking amends 25 Pa. Code Chapters 91 and 92. The proposed regulation was published in the August 7, 2004 *Pennsylvania Bulletin* with a 90-day public comment period. The final-form regulation was submitted to the Commission on July 26, 2005.

This regulation amends existing regulations concerning management of manure generated by agricultural operations. The primary purpose of the amendments is for Pennsylvania to maintain delegation of the National Pollutant Discharge Elimination System Concentrated Animal Feeding Operation program.

We have determined this regulation is consistent with the statutory authority of the EQB (35 P.S. §§ 691.5 and 691.402) 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, Acting Chairman