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

November 2, 2006

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

Re: Regulation #7-398 (IRRC #2523)  
Environmental Quality Board  
Pennsylvania Clean Vehicles Program

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](http://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,

Arthur Coccodrilli  
Acting Chairman  
wbg  
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 November 2, 2006

Arthur Coccodrilli, Acting Chairman  
Alvin C. Bush, Chairman, by Phone, Dissenting  
David M. Barasch, Esq.  
David J. DeVries, Esq.  
John F. Mizner, Esq.

Regulation No. 7-398 (#2523)  
Environmental Quality Board  
Pennsylvania Clean Vehicles Program

On January 31, 2006, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Quality Board (Board). This rulemaking amends 25 Pa. Code Chapters 121 and 126. The proposed regulation was published in the February 11, 2006 *Pennsylvania Bulletin* with a 60-day public comment period. The final-form regulation was submitted to the Commission on September 21, 2006.

This regulation postpones compliance with California Low Emission Vehicle II standards until the 2008 model year to provide flexibility for the manufacturers during the implementation period.

We have determined this regulation is consistent with the statutory authority of the Board (35 P.S. §§ 4005(a)(1), (a)(7) and (a)(8)) 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.



  
Arthur Coccodrilli, Acting Chairman