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INDEPENDENT REGULATORY REVIEW COMMISSION

333 MARKET STREET, 14TH FLOOR, HARRISBURG, PA 17101

September 20, 2007

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

Re: Regulation #7-415 (IRRC #2624)
Environmental Quality Board
Alternative Fuels Incentive Grant Program (AFIG) Regulation

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,

Arthur Coccodrilli

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 Camille George, Majority Chairman, House Environmental Resources and Energy Committee
Honorable Scott E. Hutchinson, Minority Chairman, House Environmental Resources and Energy Committee

**INDEPENDENT REGULATORY REVIEW COMMISSION
APPROVAL ORDER**

Commissioners Voting:

Public Meeting Held September 20, 2007

Arthur Coccodrilli, Chairman
David J. DeVries, Esq.
John F. Mizner, Esq.

Regulation No. 7-415 (#2624)
Environmental Quality Board
Alternative Fuels Incentive Grant Program
(AFIG) Regulation

On August 13, 2007, the Independent Regulatory Review Commission (Commission) received this regulation from the Environmental Quality Board. This rulemaking deletes 4 Pa. Code Chapter 311. Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.


This final-omitted regulation deletes 4 Pa. Code Chapter 311 (Chapter 311) titled "Alternative Fuels Incentive Grant Fund" (Fund) in its entirety. Act 178 of 2004 (Act 178) repealed the statute cited as the authority for Chapter 311 and abrogated regulations promulgated under it. The Fund will continue to be in existence, but will be administered using the provisions in Act 178 rather than Chapter 311.

We have determined this regulation is consistent with the statutory authority of the Environmental Quality Board (Section 8 of Act 178 of 2004) 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, Chairman