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INDEPENDENT REGULATORY REVIEW COMMISSION

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

March 19, 2009

Honorable John Hanger, Acting Chairman
Environmental Quality Board
Rachel Carson State Office Building
400 Market Street, 16th Floor
Harrisburg, PA 17101

Re: Regulation #7-430 (IRRC #2741)
Environmental Quality Board
Marcellus Shale Well Permit Fees

Dear Acting Chairman Hanger:

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, Chair, Senate Environmental Resources and Energy Committee
Honorable Raphael J. Musto, Chair, Senate Environmental Resources and Energy Committee
Honorable Camille George, Chair, House Environmental Resources and Energy Committee
Honorable Scott E. Hutchinson, Chair, House Environmental Resources and Energy Committee

**INDEPENDENT REGULATORY REVIEW COMMISSION
APPROVAL ORDER**

Commissioners Voting:

Public Meeting Held March 19, 2009

Arthur Coccodrilli, Chairman

George Bedwick

Nancy Sabol Frantz, Esq., by Phone, Abstained

Karen A. Miller

John F. Mizner, Esq., by Phone

Regulation No. 7-430 (#2741)

Environmental Quality Board

Marcellus Shale Gas Well Fees Amendments

On February 4, 2009, the Independent Regulatory Review Commission (Commission) received this regulation from the Environmental Quality Board (Board). This rulemaking amends 25 Pa. Code Chapter 78. Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.


This final-omitted regulation adds permit fees relative to the development of Marcellus Shale gas wells in Pennsylvania. The fees will include a base permit fee of \$900 with an additional \$100 fee per 500 feet of well bore drilled past 1,500 feet.

We have determined this regulation is consistent with the statutory authority of the Board (58 P.S. §§ 601.201(d) and 601.604) 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