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## INDEPENDENT REGULATORY REVIEW COMMISSION

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

June 17, 2010

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

Re: Regulation #7-440 (IRRC #2783)  
Environmental Quality Board  
Erosion and Sediment Control and Stormwater Management

Dear 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](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 Cocodrilli

Chairman

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Enclosure

cc: Honorable Mary Jo White, Majority 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 June 17, 2010

Arthur Coccodrilli, Chairman  
George D. Bedwick, Vice Chairman  
S. David Fineman, Esq.  
Silvan B. Lutkewitte, III, Dissenting  
John F. Mizner, Esq., by Phone

Regulation No. 7-440 (#2783)  
Environmental Quality Board  
Erosion and Sediment Control and Stormwater  
Management

On August 18, 2009, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Quality Board (EQB). This rulemaking amends 25 Pa. Code Chapter 102. The proposed regulation was published in the August 29, 2009 *Pennsylvania Bulletin* with a 93-day public comment period. The final-form regulation was submitted to the Commission on May 17, 2010.

This regulation updates erosion and sediment control requirements and incorporates federal requirements for stormwater discharges.

We have determined this regulation is consistent with the statutory authority of the EQB (35 P.S. § 691.5 and 691.402, and 3 P.S. § 859 (2)) 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.



  
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Arthur Coccodrilli, Chairman