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INDEPENDENT REGULATORY REVIEW COMMISSION

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

September 8, 2010

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

Re: Regulation #7-444 (IRRC #2802)
Environmental Quality Board
Outdoor Wood-Fired Boilers

Dear Chairman Hanger:

The Independent Regulatory Review Commission approved the subject regulation on August 19, 2010. The order included an incorrect date in the second paragraph. Our revised 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,

Kim Kaufman
Executive Director
wbg
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
REVISED APPROVAL ORDER**

Commissioners Voting:

Public Meeting Held August 19, 2010

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

Regulation No. 7-444 (#2802)
Environmental Quality Board
Outdoor Wood-Fired Boilers

On October 6, 2009, 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 123. The proposed regulation was published in the October 17, 2009 *Pennsylvania Bulletin* with a 79-day public comment period. The final-form regulation was submitted to the Commission on July 16, 2010.

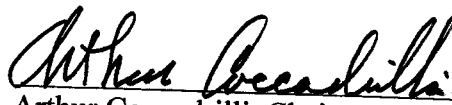
This final-form rulemaking establishes particulate matter emission standards, setback, stack height, and allowable fuel requirements for installed outdoor wood-fired boilers (OWBs). It provides exemptions for existing OWBs, OWBs shipped and used outside of the Commonwealth, and existing inventory sold or received before June 1, 2011.

We have determined this regulation is consistent with the statutory authority of the Board (35 P.S. §§ 4004.2 and 4005(a)(1)) 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