

**INDEPENDENT REGULATORY REVIEW COMMISSION
APPROVAL ORDER**

Commissioners Voting:

Public Meeting Held December 13, 2012

Silvan B. Lutkewitte, III, Chairman
George D. Bedwick, Vice Chairman
John F. Mizner, Esq.
Lawrence J. Tabas, Esq.
Dennis A. Watson, Esq., abstained

Regulation No. 7-466 (#2927)
Environmental Quality Board
Dam Safety and Waterway Management Fees

On January 18, 2012, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Quality Board (Board). This rulemaking amends 25 Pa. Code Chapter 105. The proposed regulation was published in the January 28, 2012 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on November 8, 2012.

The rulemaking amends the Dam Safety and Waterway Management regulations to update existing fees and include additional fees in order to offset a portion of the operating costs of the Water Obstruction and Encroachment Program and the Dam Safety Program.

We have determined this regulation is consistent with the statutory authority of the Board under The Clean Streams Law (35 P.S. §§ 691.5, 691.6 and 691.402), the Flood Plain Management Act (32 P.S. § 679.302) and the Dam Safety and Encroachments Act (32 P.S. §§ 693.5, 693.7, 693.10, 693.11 and 693.17) 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.



Silvan B. Lutkewitte, III, Chairman