

**INDEPENDENT REGULATORY REVIEW COMMISSION  
APPROVAL ORDER**

Commissioners Voting:

Public Meeting Held September 1, 2021

George D. Bedwick, Chairman  
John F. Mizner, Esq., Vice Chairman, dissenting  
John J. Soroko, Esq., dissenting  
Murray Ufberg, Esq.  
Dennis A. Watson, Esq.

Regulation No. 7-559 (#3274)  
Environmental Quality Board  
CO<sub>2</sub> Budget Trading Program

On October 21, 2020, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Quality Board (EQB). This rulemaking amends 25 Pa. Code Chapter 145 by adding Subchapter E (relating to CO<sub>2</sub> budget trading program). The proposed regulation was published in the November 7, 2020 *Pennsylvania Bulletin* with a public comment period ending on January 14, 2021. The final-form regulation was submitted to the Commission on July 28, 2021.

This rulemaking establishes a program to limit emissions of CO<sub>2</sub> from fossil-fuel-fired electric generating units located in the Commonwealth, with a nameplate capacity equal to or greater than 25 megawatts.

We have determined this regulation is consistent with the statutory authority of the EQB (35 P.S. §§ 4005(a)(1) and 4006.3(a)) 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.



  
George D. Bedwick, Chairman