

Regulatory Analysis Form (Completed by Promulgating Agency) (All Comments submitted on this regulation will appear on IRRC's website)		INDEPENDENT REGULATORY REVIEW COMMISSION RECEIVED Independent Regulatory Review Commission July 7, 2026	
(1) Agency Environmental Hearing Board		IRRC Number: 3493	
(2) Agency Number: 106 Identification Number: 106-15			
(3) PA Code Cite: 25 Pa. Code § 1021.5			
(4) Short Title: Rules of Practice and Procedure – Citation to Board Decisions			
(5) Agency Contacts (List Telephone Number and Email Address): Primary Contact: Madison Hinkle, 412-565-3608, madhinkle@pa.gov Secondary Contact: Maryanne Wesdock, 412-565-5245, mwesdock@pa.gov			
(6) Type of Rulemaking (check applicable box): ☐ Proposed Regulation ☐ Final Regulation ☒ Final Omitted Regulation		☐ Emergency Certification Regulation; ☐ Certification by the Governor ☐ Certification by the Attorney General	
(7) Briefly explain the regulation in clear and nontechnical language. (100 words or less) The Environmental Hearing Board (Board) amends 25 Pa. Code Chapter 1021 (relating to practice and procedure) by revising an existing rule. The amendment addresses the format for citing Board decisions. Section 1021.5 (relating to citations to Board decisions) was promulgated in 2024 (See 54 Pa.B. 2778 (May 18, 2024)). However, upon publication in the Pennsylvania Code, a formatting and typographical error were identified. Specifically, for citing slip opinions as outlined in subsection (b), there is an extra set of parentheses around the date and year within the parenthetical.			

(8) State the statutory authority for the regulation. Include specific statutory citation.

The Board is authorized by section 5 (c) of the Environmental Hearing Board Act, 35 P.S. § 7515(c), to promulgate rules and regulations relating to practice and procedure. This subsection states, “Regulations under this subsection shall be promulgated by the board upon a majority affirmative vote on the recommended regulations.”

(9) Is the regulation mandated by any federal or state law or court order, or federal regulation? Are there any relevant state or federal court decisions? If yes, cite the specific law, case or regulation as well as, any deadlines for action.

No, this final-omitted rulemaking is not mandated by any law or court order, or federal regulation; and there are no relevant state or federal court decisions

(10) State why the regulation is needed. Explain the compelling public interest that justifies the regulation. Describe who will benefit from the regulation. Quantify the benefits as completely as possible and approximate the number of people who will benefit.

The amendment to § 1021.5. (relating to citations to Board decisions) is necessary to clarify how slip opinions of the Board should be cited in filings submitted by the parties to the Board. This will result in proper formatting of citations to slip opinions and promote consistency throughout Board filings.

There are no quantifiable “benefits.” The rules are procedural, not substantive. The “benefit” of revising the Board’s rules is to ensure that the rules are clear, helpful and understandable to all parties who practice before the Board.

There is no set number of litigants who appear before the Board. However, over 1,500 attorneys are registered for electronic filing with the Board, and approximately one third of those registered for electronic filing have actively used the electronic filing system since the Board launched its new website in July of 2024. Because electronic filing is mandatory in most instances, this provides a good estimate of the number of attorneys who will be affected by revisions to the Board’s rules of procedure. Those attorneys will benefit from having rules of procedure that are clear and understandable.

The Board’s rules are comparable to the Pennsylvania Rules of Civil Procedure. Just as there is no certain way to determine how many attorneys will “benefit” from the Pa. Rules of Civil Procedure, there is no certain way to determine how many attorneys will “benefit” from the Board’s Rules of Practice and Procedure. However, there is certainty in saying that any attorney or *pro se* litigant who appears before the Board will benefit from having a set of procedural rules that explain and clarify the procedure to be followed throughout the proceeding.

(11) Are there any provisions that are more stringent than federal standards? If yes, identify the specific provisions and the compelling Pennsylvania interest that demands stronger regulations.

No. There are no provisions that are more stringent than federal standards.

(12) How does this regulation compare with those of the other states? How will this affect Pennsylvania's ability to compete with other states?

The Environmental Hearing Board and the Rules Committee have looked to the Pennsylvania Rules of Civil Procedure, General Rules of Practice and Procedure, and local rules of various courts of common pleas for guidance in drafting its rules. Examining the procedural rules of other Pennsylvania courts has been helpful in crafting procedural rules dealing with Pennsylvania practice. Where rules exist in other states, they are not relevant to Pennsylvania practice and may not be comparable. The Rules Committee has found that the Pennsylvania Rules of Civil Procedure provide the best guidance. In some cases, local rules of county common pleas courts and federal rules have provided a helpful model.

These revisions to the Board's rules will in no way place Pennsylvania at a competitive disadvantage with other states. The Board is the statutorily-created body for hearing appeals of actions of the Pennsylvania Department of Environmental Protection. The Board's jurisdiction is set forth in section 7514 of the Environmental Hearing Board Act, 35 P.S. § 7514, which states that the Board has the power and duty to hold hearings and issue adjudications on orders, permits, licenses or decisions of the Department of Environmental Protection (DEP). Most of the statutes enforced and administered by the DEP provide that the proper forum to hear appeals of DEP actions is the Environmental Hearing Board. The amendment contained in this rules package serves to clarify practice before the Environmental Hearing Board.

The amendment discussed herein places no additional burden on regulated industry nor requires any specific action on the part of the regulated community. Amendments to the Board's rules are enacted for the purpose of simplifying and clarifying the process of appearing before the Board and citing to opinions of the Board. The rules generally come about as the result of someone identifying an area of the rules that needs clarification, including the Board judges or attorneys, a member of the Rules Committee, a member of the Pennsylvania environmental bar, or a member of the public.

(13) Will the regulation affect any other regulations of the promulgating agency or other state agencies? If yes, explain and provide specific citations.

The regulations do not affect the regulations of the Board or any other state agencies.

(14) Describe the communications with and solicitation of input from the public, any advisory council/group, small businesses and groups representing small businesses in the development and drafting of the regulation. List the specific persons and/or groups who were involved. (“Small business” is defined in Section 3 of the Regulatory Review Act, Act 76 of 2012.)

The amendment is based on the recommendations of the Environmental Hearing Board Rules Committee, a nine-member advisory committee established by section 5(a) of the Environmental Hearing Board Act, 35 P.S. § 7515(a). The Rules Committee is comprised of attorneys from both the public and private sectors appointed by the Governor, the majority and minority leadership of the House and Senate, the Secretary of the Department of Environmental Protection and the Citizens Advisory Council. Public participation in the Rules Committee meetings is encouraged, and the meetings receive sunshine notice according to law. The minutes of the Rules Committee meetings are found on the Board’s website at <https://ehb.pa.gov/minutes>. The minutes are extremely detailed and contain extensive information for the environmental bar that practices before the Board, as well as the public. The amendment to the slip opinion citations was discussed at the meeting of September 10, 2025.

The Rules Committee makes great efforts to communicate with and solicit input from the regulated community and the environmental bar. At the annual Pennsylvania Bar Association Environmental Law Forum, the Judges of the Environmental Hearing Board and the Chairperson of the Rules Committee often discuss proposed regulations and solicit input from attendees, who consist of members of the Pennsylvania environmental bar and who represent all facets of parties who appear before the Board, individual appellants, citizen groups, businesses and the Department of Environmental Protection. The Board Judges and Rules Committee Chairperson also present programs at various county bar associations where input on proposed rules is solicited. Additionally, input is solicited from the environmental bar by means of the Pennsylvania Bar Association Environmental and Energy Law Section (EELS), which holds monthly council meetings and biannual Section meetings, operates a listserv and publishes a newsletter. The Board’s liaison to the Rules Committee participates in most of the EELS activities and events, and the Board Judges and Rules Committee Chairperson and members are frequent participants. EELS members are notified of upcoming Rules Committee meetings.

(15) Identify the types and number of persons, businesses, small businesses (as defined in Section 3 of the Regulatory Review Act, Act 76 of 2012) and organizations which will be affected by the regulation. How are they affected?

It is difficult to quantify the number of persons, businesses, small businesses and organizations that will be affected. Anyone who is a litigant before the Environmental Hearing Board will be affected by the regulations. This includes the Department of Environmental Protection, the regulated community and citizens groups, and any member of the public who appeals an action of the Department of Environmental Protection. Any Commonwealth agency that appeals or joins in an action taken by the Department of Environmental Protection will also be affected by the regulations.

In 2025, 138 appeals were filed with the Board. In 2024, 185 appeals were filed. In 2023, 98 appeals were filed, and in 2022, 106 appeals were filed. As of February 11, 2026, 9 appeals had been filed. In each appeal there is at least one appellant and the Department of Environmental Protection, which is always a party. In many cases, there is also a third party, who is the holder of a permit that is being challenged. In some cases, there may be intervenors. All of these persons are affected by any revision to the Rules of Practice and Procedure, just as any litigant who appears before a Pennsylvania Court of Common Pleas is affected by revisions to the Pennsylvania Rules of Civil Procedure.

Over 1,500 attorneys are registered for electronic filing with the Board, and approximately one third of those registered for electronic filing have actively used the electronic filing system since the Board launched its new website in July of 2024. Because electronic filing is mandatory in most instances, this provides a good estimate of the number of attorneys who will be affected by revisions to the Board's rules of procedure.

(16) List the persons, groups or entities, including small businesses, that will be required to comply with the regulation. Approximate the number that will be required to comply.

Same as answer to question 15. All parties listed in the response to question 15 will be required to comply with the Environmental Hearing Board's Rules of Practice and Procedure.

As explained in the response to question 15, this number cannot be quantified, but can only be based on the number of appeals filed with the Board each year and the number of attorneys who are registered for electronic filing. Again, it should be emphasized that the revisions pertain to procedural rules; they do not cover substantive areas of law.

(17) Identify the financial, economic and social impact of the regulation on individuals, small businesses, businesses and labor communities and other public and private organizations. Evaluate the benefits expected as a result of the regulation.

The amendment will have no measurable financial, economic or social impact on individuals, small businesses, businesses, labor communities or other public and private organizations. Rather, the amendment should make practice before the Board clearer and more efficient.

(18) Explain how the benefits of the regulation outweigh any cost and adverse effects.

Clarifications to the Board's rules on citations to slip opinions will make the process more efficient and user-friendly for practitioners by eliminating any unnecessary confusion currently caused by the formatting error. There are no adverse effects of the amendment.

(19) Provide a specific estimate of the costs and/or savings to the **regulated community** associated with compliance, including any legal, accounting or consulting procedures which may be required. Explain how the dollar estimates were derived.

There will be no costs or savings to the regulated community.

(20) Provide a specific estimate of the costs and/or savings to the **local governments** associated with compliance, including any legal, accounting or consulting procedures which may be required. Explain how the dollar estimates were derived.

There will be no costs or savings to local governments.

(21) Provide a specific estimate of the costs and/or savings to the **state government** associated with the implementation of the regulation, including any legal, accounting, or consulting procedures which may be required. Explain how the dollar estimates were derived.

There will be no costs or savings to state government.

(22) For each of the groups and entities identified in items (19)-(21) above, submit a statement of legal, accounting or consulting procedures and additional reporting, recordkeeping or other paperwork, including copies of forms or reports, which will be required for implementation of the regulation and an explanation of measures which have been taken to minimize these requirements.

N/A – No legal, accounting or consulting procedures, reporting or recordkeeping is required.

(22a) Are forms required for implementation of the regulation?

No forms are required.

(22b) If forms are required for implementation of the regulation, **attach copies of the forms here**. If your agency uses electronic forms, provide links to each form or a detailed description of the information required to be reported. **Failure to attach forms, provide links, or provide a detailed description of the information to be reported will constitute a faulty delivery of the regulation.**

N/A, please see response to (22a) above

(23) In the table below, provide an estimate of the fiscal savings and costs associated with implementation and compliance for the regulated community, local government, and state government for the current year and five subsequent years.

	Current FY Year	FY +1 Year	FY +2 Year	FY +3 Year	FY +4 Year	FY +5 Year
SAVINGS:	\$	\$	\$	\$	\$	\$
Regulated Community						
Local Government						
State Government						
Total Savings	Not measurable	Not measurabl e	Not measurabl e	Not measurabl e	Not measurabl e	Not measurable
COSTS:						
Regulated Community						
Local Government						
State Government						
Total Costs	None	None	None	None	None	None
REVENUE LOSSES:						
Regulated Community						
Local Government						
State Government						
Total Revenue Losses	None	None	None	None	None	None

(23a) Provide the past three year expenditure history for programs affected by the regulation.

Program	FY -3	FY -2	FY -1	Current FY
Environmental Hearing Board Operations	\$ 717,280.13	\$ 551,763.70	\$ 210,206.35	\$ 358,403.00

(24) For any regulation that may have an adverse impact on small businesses (as defined in Section 3 of the Regulatory Review Act, Act 76 of 2012), provide an economic impact statement that includes the following:

- (a) An identification and estimate of the number of small businesses subject to the regulation.
- (b) The projected reporting, recordkeeping and other administrative costs required for compliance with the proposed regulation, including the type of professional skills necessary for preparation of the report or record.
- (c) A statement of probable effect on impacted small businesses.
- (d) A description of any less intrusive or less costly alternative methods of achieving the purpose of the proposed regulation.

The amendment will not have an adverse impact on small businesses.

(25) List any special provisions which have been developed to meet the particular needs of affected groups or persons including, but not limited to, minorities, the elderly, small businesses, and farmers.

No special provisions have been developed. The board could discern no particular needs of any of the identified groups that needed to be addressed in this final-omitted rulemaking..

(26) Include a description of any alternative regulatory provisions which have been considered and rejected and a statement that the least burdensome acceptable alternative has been selected.

There were no alternative regulatory provisions considered and rejected.

(27) In conducting a regulatory flexibility analysis, explain whether regulatory methods were considered that will minimize any adverse impact on small businesses (as defined in Section 3 of the Regulatory Review Act, Act 76 of 2012), including:

- a) The establishment of less stringent compliance or reporting requirements for small businesses;
- b) The establishment of less stringent schedules or deadlines for compliance or reporting requirements for small businesses;
- c) The consolidation or simplification of compliance or reporting requirements for small businesses;
- d) The establishment of performance standards for small businesses to replace design or operational standards required in the regulation; and
- e) The exemption of small businesses from all or any part of the requirements contained in the regulation.

The amendment will not have an adverse impact on small businesses. Furthermore, the concept of conducting a regulatory flexibility analysis is not germane to procedural rules for adjudicatory proceedings, as their content is dictated by relevant statutory, regulatory and constitutional provisions, as well as judicial precedent.

(28) If data is the basis for this regulation, please provide a description of the data, explain in detail how the data was obtained, and how it meets the acceptability standard for empirical, replicable and testable data that is supported by documentation, statistics, reports, studies or research. Please submit data or supporting materials with the regulatory package. If the material exceeds 50 pages, please provide it in a searchable electronic format or provide a list of citations and internet links that, where possible, can be accessed in a searchable format in lieu of the actual material. If other data was considered but not used, please explain why that data was determined not to be acceptable.

Data was not the basis for this regulation.

(29) Include a schedule for review of the regulation including:

A. The length of the public comment period:

N/A

B. The date or dates on which any public meetings or hearings will be held:

The Environmental Hearing Board Rules Committee meeting to discuss the amendment was open to the public and was held on September 10, 2025. Additionally, the meeting of the Environmental Hearing Board Judges to vote on the amendment, held on March 13, 2026, was open to the public.

C. The expected date of delivery of the final-form regulation:

N/A

D. The expected effective date of the final-form regulation:

Upon publication as a final omitted regulation in the Pa. Bulletin.

E. The expected date by which compliance with the final-form regulation will be required:

Upon publication as a final omitted regulation in the Pa. Bulletin.

E. The expected date by which required permits, licenses or other approvals must be obtained:

Not applicable

(30) Describe the plan developed for evaluating the continuing effectiveness of the regulations after its implementation.

The regulation will continue to be evaluated by the Environmental Hearing Board Rules Committee at its meetings held every other month. Additionally, the Environmental Hearing Board receives feedback on its regulations at events held by the Pennsylvania Bar Association Environmental and Energy Law Section and county bar association environmental law sections.

CDL-1

**FACE SHEET
FOR FILING DOCUMENTS
WITH THE LEGISLATIVE REFERENCE BUREAU**

(Pursuant to Commonwealth Documents Law)

RECEIVED

Independent Regulatory
Review Commission

July 7, 2026

DO NOT WRITE IN THIS SPACE

Copy below is hereby approved as to form and legality. Attorney General BY: _____ (DEPUTY ATTORNEY GENERAL) _____ DATE OF APPROVAL ☐ Check if applicable ☐ Copy not approved. Objections attached.	Copy below is hereby certified to be a true and correct copy of a document issued, prescribed or promulgated by: _____ Environmental Hearing Board (AGENCY) DOCUMENT/FISCAL NOTE NO. 106-15 DATE OF ADOPTION: March 13, 2026 BY: _____ _____ TITLE: Chief Judge and Chairperson (EXECUTIVE OFFICER, CHAIRMAN OR SECRETARY)	Copy below is hereby approved as to form and legality. Executive or Independent Agencies. BY: _____ Cynthia K. Matz Deputy General Counsel 06/17/2026 _____ DATE OF APPROVAL (Deputy General Counsel) (Chief Counsel, Independent Agency) (Strike inapplicable title) ☐ Check if applicable. No Attorney General approval or objection within 30 days after submission.
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NOTICE OF FINAL-OMITTED REGULATION

**COMMONWEALTH OF PENNSYLVANIA
ENVIRONMENTAL HEARING BOARD**

25 Pa. Code, Chapter 1021, § 1021.5

RULES OF PRACTICE AND PROCEDURE – CITATION TO BOARD DECISIONS

TITLE 25 – ENVIRONMENTAL PROTECTION

ENVIRONMENTAL HEARING BOARD

[25 PA. CODE CH. 1021]

Practice and Procedure

The Environmental Hearing Board (board) by this final-omitted rulemaking amends § 1021.5 (relating to citations to Board decisions) to read as set forth at Annex A. The amendment modifies a rule of practice and procedure before the board by correcting a typographical error in the format for citing slip opinions of the board.

The board approved the regulation at its meeting on March 13, 2026.

A. Effective Date

The amendment will be effective upon publication in the *Pennsylvania Bulletin*.

B. Contact Persons

For further information, contact Madison Hinkle, Assistant Counsel, Environmental Hearing Board, Suite 310, 301 Fifth Avenue, Pittsburgh, PA 15222, (412) 565-3608, madhinkle@pa.gov.

C. Statutory Authority

The board has the authority under section 5(c) of the Environmental Hearing Board Act (35 P.S. § 7515(c)) to adopt regulations pertaining to practice and procedure before the board.

D. Background and Purpose

The purpose of the amendment is to improve practice and procedure before the board by clarifying the correct format to cite slip opinions of the board. This amendment is based on

the recommendations of the Environmental Hearing Board Rules Committee, a nine-member advisory committee created by section 5(a) and (c) of the Environmental Hearing Board Act (35 P.S. § 7515(a) and (c)) to make recommendations to the board on its rules of practice and procedure. Under section 5(c), regulations “shall be promulgated by the board upon a majority affirmative vote on the recommended regulations.”

E. Description of Final-Omitted Rulemaking

This amendment is being submitted as a final-omitted rulemaking under section 204(3) of the Commonwealth Documents Law, 45 P.S. § 1204(3), which permits the omission of a notice of proposed rulemaking when the “agency for good cause finds...that the procedures specified in section 201 and 202 are in the circumstances impracticable, unnecessary or contrary to the public interest.” The board finds that publishing a notice of proposed rulemaking is unnecessary and contrary to the public interest because it is simply correcting a typographical/format error in a rule of administrative practice and procedure.

The board’s rule at § 1021.5 was published at 54 Pa.B. 2778 and became effective on May 18, 2024. However, the final version of § 1021.5, as published in the Pennsylvania Code, contained a minor typographical/formatting error. Specifically, in the example provided in subsection (b), showing the proper format for citing to a slip opinion, there is an extra set of internal parentheses around the date and year. This final-omitted rulemaking corrects that error.

F. Benefits, Costs, Compliance and Paperwork

Benefits

The amendment will provide a benefit to parties appearing before the board because it corrects a typographical error in § 1021.5 of the board's Rules of Practice and Procedure and clarifies the correct format for citing to slip opinions of the board.

Costs

The amendment will have no measurable fiscal impact on the Commonwealth, political subdivisions or the private sector.

Compliance

The amendment will have no impact on compliance costs for parties participating in matters before the board.

Paperwork

The amendment will require no additional paperwork.

G. Sunset Review

A sunset date has not been established for this regulation. This regulation will be reviewed on an ongoing basis by the Environmental Hearing Board Rules Committee to determine whether the regulation effectively fulfills the goals for which it was intended. The Rules Committee meets six times a year in alternating months (January, March, May, July, September, November).

H. Regulatory Review

This final-omitted regulation was submitted to IRRC, the House Environmental Resources and Energy Committee and the Senate Environmental Resources and Energy Committee on July 7, 2026. On the same date, the regulation was submitted to the Office of the Attorney General for review and approval under the Commonwealth Attorneys Act (71 P. S. §§ 732-101—732-506).

Because no action was taken by the Committees, the regulation was deemed approved under section 5.1(j.2) of the Regulatory Review Act (71 P.S. § 745.5a(j.2)). IRRC met on Month XX, 2026 and approved the regulation under section 5.1(e) of the Regulatory Review Act.

I. Findings of the Board

The board finds that:

(1) Public notice of the board's intention to amend its regulations under the procedures in section 201 and 202 of the Commonwealth Documents Law (45 P.S. §§ 1201 and 1202) has been properly omitted because publication of proposed rulemaking and public comment is unnecessary given that the amendments adopted by this order are merely correcting a typographical/format error in § 1021.5.

(2) The amendment of the board's regulations in the manner provided in this order is necessary and appropriate for administration of the Environmental Hearing Board Act.

J. Order

The board, acting under its authorizing statute, orders that:

(1) The regulations of the board at § 1021.5 are amended to read as set forth in Annex A.

(2) The board shall submit this order and Annex A to the Office of Attorney General and Office of General Counsel for review as to legality and form as required by law.

(3) The board shall submit this order and Annex A to the Independent Regulatory Review Commission, the House Environmental Resources and Energy Committee

and the Senate Environmental Resources and Energy Committee, as required by law.

- (4) The board shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.
- (5) This order shall take effect upon publication in the *Pennsylvania Bulletin*.

STEVEN C. BECKMAN
Chairperson and Chief Judge

ANNEX A
TITLE 25. ENVIRONMENTAL PROTECTION
PART IX. ENVIRONMENTAL HEARING BOARD
CHAPTER 1021. PRACTICE AND PROCEDURE

PRELIMINARY PROVISIONS

GENERAL

§ 1021.5. Citations to Board decisions.

(b) If the Environmental Hearing Board Reporter has not been published for a particular year, the citation shall be to the slip opinion which can be found on the Board's web site. The citation shall include the names of the parties, the docket number, the type of decision being issued (that is, Adjudication or Opinion) and the date of issuance, using the following format: *Name of Appellant v. DEP*, EHB Docket No. ____ (Opinion and Order on Motion to Dismiss issued [(**date and year**)] **date and year**).



COMMONWEALTH OF PENNSYLVANIA
ENVIRONMENTAL HEARING BOARD

July 7, 2026

David Sumner
Executive Director
Independent Regulatory Review Commn.
333 Market Street, 14th Floor
Harrisburg, PA 17101
Via electronic delivery

Re: Environmental Hearing Board Final-Omitted Rulemaking 106-15

Dear Mr. Sumner:

Pursuant to Section 5.1(c) of the Regulatory Review Act, please find enclosed a copy of Environmental Hearing Board (Board) Final-Omitted Rulemaking 106-15. This final-omitted rulemaking amends and clarifies the Board's Rules of Practice and Procedure by correcting a typographical error. It was proposed and drafted by the Board's Rules Committee and adopted by the Board at its public meeting on March 13, 2026.

Should you have any questions please do not hesitate to contact me at madhinkle@pa.gov or 412-565-3608, or Maryanne Wesdock at mwesdock@pa.gov or 412-565-5245.

Sincerely,

s/ Madison Hinkle

Madison Hinkle
Assistant Counsel
Environmental Hearing Board

Re: EHB Rules Package 106-15

From Eyster, Emily <Emily.Eyster@pasenate.com>**Date** Tue 7/7/2026 1:09 PM**To** Hinkle, Madison <madhinkle@pa.gov>

July 7, 2026

Received. Thanks Madison!

Emily Eyster
Legislative Director, Office of Senator Carolyn T. Comitta
Executive Director, Senate Environmental Resources and Energy Committee
Cell: (717) 756-4702
Phone: (717) 787-5709
www.pasenatorcomitta.com

From: Hinkle, Madison <madhinkle@pa.gov>**Sent:** Tuesday, July 7, 2026 11:31 AM**To:** Eyster, Emily <emily.eyster@pasenate.com>**Subject:** EHB Rules Package 106-15

[You don't often get email from madhinkle@pa.gov. Learn why this is important at
<https://aka.ms/LearnAboutSenderIdentification>]

■ EXTERNAL EMAIL ■

Good morning,

I hope you are doing well. Please see the attached for the Environmental Hearing Board's Rules Package 106-15 (final omitted rulemaking).

If you could please provide a written (email) confirmation that the rulemaking has been received at your earliest convenience, I would greatly appreciate it.

Thank you very much,
Madison

Madison Hinkle (she/her) | Assistant Counsel
Environmental Hearing Board
Commonwealth of Pennsylvania
301 Fifth Avenue, Suite 310 | Pittsburgh, PA 15222
Phone: (412) 565-3608
madhinkle@pa.gov | ehb.pa.gov <<https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fehb.pa.gov%2F&data=05%7C02%7Cemily.eyster%40pasenate.com%7C6ad163e0f04b4698c38308dedc3cc5fc%7C93627e0e68cc4884b5c889613a97e74e%7C0%7C0%7C639190351117111475%7CUnk>>

Re: EHB Rules Package 106-15July 7, 2026

From Elliott, Amy M. <aelliott@attorneygeneral.gov>

Date Tue 7/7/2026 11:38 AM

To Montgomery, Cynthia <cymontgome@pa.gov>; Trotter, Carolyn <ctrotter@attorneygeneral.gov>

Cc GC, Regulations <RA-GCREGULATIONS@pa.gov>; Boyd, Talia (GC) <talboyd@pa.gov>

Receipt acknowledged.

From: Montgomery, Cynthia <cymontgome@pa.gov>**Sent:** Tuesday, July 7, 2026 11:30 AM**To:** Elliott, Amy M. <aelliott@attorneygeneral.gov>; Trotter, Carolyn <ctrotter@attorneygeneral.gov>**Cc:** GC, Regulations <RA-GCREGULATIONS@pa.gov>; Boyd, Talia (GC) <talboyd@pa.gov>**Subject:** FW: EHB Rules Package 106-15

Amy –

The Environmental Hearing Board is delivering this final-omitted regulation today. Please confirm receipt by return email.

Thanks,



Cynthia Montgomery | Deputy General Counsel
Governor's Office of General Counsel
30 North Third Street, Suite 200, Harrisburg, PA 17101
Phone: 717.787.1447 | Fax: 717.787.1788
cymontgome@pa.gov | www.ogc.pa.gov

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From: Hinkle, Madison <madhinkle@pa.gov>**Sent:** Tuesday, July 7, 2026 11:25 AM**To:** Montgomery, Cynthia <cymontgome@pa.gov>; GC, Regulations <RA-GCREGULATIONS@pa.gov>**Subject:** EHB Rules Package 106-15

Good morning,

Please see the attached for the Environmental Hearing Board's Rules Package 106-15 (final omitted rulemaking).

If you could please provide a written (email) confirmation that the rulemaking has been received at your earliest convenience, I would greatly appreciate it.

Thank you very much,
Madison

Madison Hinkle (she/her) | Assistant Counsel
Environmental Hearing Board
Commonwealth of Pennsylvania
301 Fifth Avenue, Suite 310 | Pittsburgh, PA 15222
Phone: (412) 565-3608
madhinkle@pa.gov | ehb.pa.gov

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Independent Regulatory
Review Commission

July 7, 2026

RECEIVEDIndependent Regulatory
Review Commission**RE: [EXTERNAL]: EHB Rules Package 106-15****From** Marisa Thomas <Mthomas@pahousegop.com>**Date** Tue 7/7/2026 11:43 AM**To** Hinkle, Madison <madhinkle@pa.gov>

July 7, 2026

Received. Thanks

-----Original Message-----

From: Hinkle, Madison <madhinkle@pa.gov>**Sent:** Tuesday, July 7, 2026 11:31 AM**To:** Marisa Thomas <Mthomas@pahousegop.com>**Subject:** [EXTERNAL]: EHB Rules Package 106-15

Good morning,

I hope you are doing well. Please see the attached for the Environmental Hearing Board's Rules Package 106-15 (final omitted rulemaking).

If you could please provide a written (email) confirmation that the rulemaking has been received at your earliest convenience, I would greatly appreciate it.

Thank you very much,
Madison

Madison Hinkle (she/her) | Assistant Counsel Environmental Hearing Board Commonwealth of Pennsylvania
301 Fifth Avenue, Suite 310 | Pittsburgh, PA 15222

Phone: (412) 565-3608

madhinkle@pa.gov | ehb.pa.gov <<https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fehb.pa.gov%2F&data=05%7C02%7Cmadhinkle%40pa.gov%7Cdf89e4a930c14c9f1df708dedc3e8dae%7C418e284101284dd59b6c47fc5a9a1bde%7C0%7C0%7C639190358380732128%7CUnknown%7CTWFpbGZsb3d8eyJFbXB0eU1hcGkiOnRydWUslYiOilwLjAuMDAwMCIslAIiOiJXaW4zMilslkFOljoiTWFpbClslldUIjoyfQ%3D%3D%7C0%7C%7C%7C&sdata=HwtmNyGN48nRAclutT%2Bh4iZI%2Fh6iiYjmRnylempG%2FRA%3D&reserved=0>>

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RE: EHB Rules Package 106-15July 7, 2026

From Franzese, Evan B. <EFranzese@pahouse.net>

Date Tue 7/7/2026 11:37 AM

To Hinkle, Madison <madhinkle@pa.gov>; Shupe, Hayley <HShupe@pahouse.net>

Confirming receipt. Thank you!

Evan Franzese-Peterson

Executive Director | House Environmental & Natural Resource Protection Committee (D)

Representative Greg Vitali

Pennsylvania House of Representatives

M: 223-797-7185

O: 717-783-2189

F: 717-780-4780

-----Original Message-----

From: Hinkle, Madison <madhinkle@pa.gov>

Sent: Tuesday, July 7, 2026 11:31 AM

To: Shupe, Hayley <HShupe@pahouse.net>; Franzese, Evan B. <EFranzese@pahouse.net>

Subject: EHB Rules Package 106-15

Good morning,

I hope you are doing well. Please see the attached for the Environmental Hearing Board's Rules Package 106-15 (final omitted rulemaking).

If you could please provide a written (email) confirmation that the rulemaking has been received at your earliest convenience, I would greatly appreciate it.

Thank you very much,
Madison

Madison Hinkle (she/her) | Assistant Counsel Environmental Hearing Board Commonwealth of Pennsylvania

301 Fifth Avenue, Suite 310 | Pittsburgh, PA 15222

Phone: (412) 565-3608

madhinkle@pa.gov | ehb.pa.gov<https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Furldefense.com%2Fv3%2F_https%3A%2F%2Fehb.pa.gov%2F_%3B!!DXfqj9IE!KhE5tdO1NXzqBITUGuaGNWlG0_2R5R3b2uLF0alsR16Wd4k65rE3bJs6JFGEmbCU-TXzgfr1f1CHFaUPY0u%24&data=05%7C02%7Cmadhinkle%40pa.gov%7C0f6104b9e73a474706f808dedc3da458%7C418e284101284dd59b6c47fc5a9a1bde%7C0%7C0%7C639190354464689166%7CUnknown%7CTWfpbGZsb3d8eyJFbXB0eU1hcGkiOnRydWUsIlYiOilwLjAuMDAwMCIslIAiOiXaW4zMilslkFOljoiTWFpbCIsIldUljoyfQ%3D%3D%7C0%7C%7C%7C&sdata=65xX5tJtdAW6HtLZVGQ%2Bcm4ndwZI9GrLvLyInCJ4O5U%3D&reserved=0

url=https%3A%2F%2Furldefense.com%2Fv3%2F_https%3A%2F%2Fehb.pa.gov%2F_%3B!!DXfqj9IE!KhE5tdO1NXzqBITUGuaGNWlG0_2R5R3b2uLF0alsR16Wd4k65rE3bJs6JFGEmbCU-

TXzgfr1f1CHFaUPY0u%24&data=05%7C02%7Cmadhinkle%40pa.gov%7C0f6104b9e73a474706f808dedc3da458%7C418e284101284dd59b6c47fc5a9a1bde%7C0%7C0%7C639190354464689166%7CUnknown%7CTWfpbGZsb3d8eyJFbXB0eU1hcGkiOnRydWUsIlYiOilwLjAuMDAwMCIslIAiOiXaW4zMilslkFOljoiTWFpbCIsIldUljoyfQ%3D%3D%7C0%7C%7C%7C&sdata=65xX5tJtdAW6HtLZVGQ%2Bcm4ndwZI9GrLvLyInCJ4O5U%3D&reserved=0 >

RE: EHB Rules Package 106-15July 7, 2026

From Osenbach, Matt <mosenbach@pasen.gov>

Date Tue 7/7/2026 11:35 AM

To Hinkle, Madison <madhinkle@pa.gov>; Troutman, Nick <ntroutman@pasen.gov>

Hello Madison,

Message has been received. Thank you.

Matt Osenbach

Director, Environmental Resources & Energy Committee**Office of State Senator Gene Yaw (R-23)**

362 Main Capitol Building, Senate Box 203023

Harrisburg, PA 17120

T: (717) 787-3280

F: (717) 772-0575

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From: Hinkle, Madison <madhinkle@pa.gov>**Sent:** Tuesday, July 7, 2026 11:31 AM**To:** Osenbach, Matt <mosenbach@pasen.gov>; Troutman, Nick <ntroutman@pasen.gov>**Subject:** EHB Rules Package 106-15

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Thank you very much,
Madison

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July 7, 2026