

## General Rulemaking Process

1. Approved as proposed rulemaking on April 23, 2009.
2. Within two days, the Regulatory coordinator submits the rulemaking package to the Office of the General Counsel (“GC”).
3. Thirty day review by the GC. However, unless the EQB has made significant changes in the proposed regulations, the review occurs very quickly because the GC approved the proposed regulations before they went to the EQB.
4. Returned to the Regulatory Review Coordinator.
5. Within two days the Regulatory Review Coordinator submits the Proposed Rulemaking package to the Office of the Attorney General (“AG”).
6. Thirty Day review by the AG for form and legality.
  - a. If there is a question, they will send a tolling memorandum stating their issues.
  - b. Upon return of our response the AG has a full thirty days. However, the AG usually approves the proposed regulations fairly quickly after receiving our response.
7. The Ag returns the rulemaking package to the Regulatory Coordinator.
8. Within two days the Regulatory Coordinator submits the rulemaking package to the Legislative Reference Bureau (“LRB”), the Independent Regulatory Review Commission (“IRRC”) and the House and Senate oversight committees (“Committees”).
9. Within 3.5 weeks LRB submits Galileo the bulletin publication to the Regulatory Coordinator.
  - a. That day the Regulatory Coordinator submits copies of the Gallies to the Program and the program counsel.
  - b. By the following Tuesday, the Program staff and program counsel notify the regulatory coordinator of any corrections to be made to the gullies.
  - c. The Regulatory Coordinator notifies the LRB of the Department’s desired changes to the Gallies.
10. Ten days later the Proposed Rulemaking is published in the Pennsylvania Bulletin.
  - a. 30 day (usual length) public comment period.
11. Thirty day after close of public comment period IRRC submits comments.
12. Prepare final-form rulemaking:
  - a. review the comments and determine whether to make further modifications to the proposed regulation,
  - b. prepare a comment and response document,
  - c. if necessary, prepare an Annex A just showing the changes to the proposed regulations,
  - d. Go back to the Certification Board and the CPAC for review and comments on final-form regulations,
  - e. If necessary make further amendments to the rulemaking and any comments with responses must be reflected in the final-form rulemaking, and
  - f. Prepare rest of the Final-form rulemaking package.

13. Submit Final-form rulemaking package to the Bureau Director.
14. At least 11 weeks before the EQB meeting, submit Final-form rulemaking package to Office of Policy:
  - a. 2 week review by Office of Policy for completeness, style and policy issues,
  - b. 2 week review by Office of Chief counsel for form and legality,
  - c. 4 week review by Governors office (GC and Budget Office),
  - d. 1 week for Policy Office to make any changes desired by Governor's office, and
  - e. 2 weeks prior to EQB meeting mail out the Final-form rulemaking to the EQB members.
15. EQB meeting hopefully approve the final-form rulemaking.
16. Within 2 days Regulatory Coordinator submits package to the GC for review as to form and legality.
17. 30 day review by GC usually takes only a couple of days.
18. Final-form Rulemaking returned to Regulatory Coordinator.
19. Within 2 days Regulatory Coordinator submits Final-form rulemaking package to the IRRC and the Committees.
20. Within 30 days IRRC holds a hearing, they can only consider disapproving the Final-form order due to concerns raised in their comments or concerns in new regulations added between proposed and final.
21. One day before the IRRC hearing committees must have approved or disapproved the final-form rulemaking. Failure to act is a deemed approval.
22. Final-form rulemaking is returned to the Regulatory Coordinator.
23. Within two days the Regulatory Coordinator submits the Final-form rulemaking package to the AG.
24. 30 day review by AG. AG will only review changes between proposed and final rulemakings. Review is usually completed within a couple of days.
25. Final-form rulemaking package returned to the Regulatory Coordinator.
26. Regulatory Coordinator submits Final-form rulemaking package to the LRB.
27. Within 3.5 weeks LRB submits Gallies to the Regulatory Coordinator.
  - a. That day the Regulatory Coordinator delivers a copy of the gullies to the program and program counsel.
  - b. By the following Tuesday the program staff/counsel notify the Regulatory Coordinator of any desired changes to be made to the gallies.
  - c. Regulatory Coordinator notifies the LRB of the desired changes.
28. Ten days later the Final-form rulemaking is published in the PA. Bulletin. And becomes affective.
29. Three months later, Program counsel will receive the pa code versions of the proposed rulemaking.
30. If necessary, corrections are called into the code and bulletin.