

(2) At least a 60-day public comment period was provided as required by law and all comments were considered.

(3) This final form rulemaking does not enlarge the purpose of the proposed rulemaking published at 47 Pa.B. 1157.

(4) These regulations are necessary and appropriate for administration and enforcement of the authorizing acts identified in Section C of this preamble.

*L. Order*

The Board, acting under the authorizing statutes, orders that:

(a) The regulations of the Department, 25 Pa. Code Chapter 126, are amended by amending § 126.301 to read as set forth in Annex A.

*(Editor's Note: The proposed amendment of § 121.1 and the proposed rescission of §§ 126.301–126.303 have been withdrawn by the Board. The amendment to § 126.301 was not included in the proposed rulemaking published at 47 Pa.B. 1157.)*

(b) The Chairperson of the Board shall submit this order and Annex A to the Office of General Counsel and the Office of Attorney General for review and approval as to legality and form, as required by law.

(c) The Chairperson of the Board shall submit this order and Annex A to IRRC and the House and Senate Committees as required by the Regulatory Review Act (71 P.S. §§ 745.1–745.14).

(d) The Chairperson of the Board shall certify this order and Annex A, as approved for legality and form, and deposit them with the Legislative Reference Bureau as required by law.

(e) This final form rulemaking will be submitted to the EPA as a revision to the Pennsylvania SIP.

(f) This order shall take effect immediately upon publication in the *Pennsylvania Bulletin*.

PATRICK McDONNELL,  
*Chairperson*

*(Editor's Note: See 48 Pa.B. 1482 (March 10, 2018) for IRRC's approval order.)*

**Fiscal Note:** Fiscal Note 7-529 remains valid for the final adoption of the subject regulation.

**Annex A**

**TITLE 25. ENVIRONMENTAL PROTECTION**

**PART I. DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**Subpart C. PROTECTION OF NATURAL RESOURCES**

**ARTICLE III. AIR RESOURCES**

**CHAPTER 126. MOTOR VEHICLE AND FUELS PROGRAMS**

**Subchapter C. GASOLINE VOLATILITY REQUIREMENTS**

**§ 126.301. Compliant fuel requirement.**

(a) This subchapter applies to gasoline which is sold or transferred into or within the Pittsburgh-Beaver Valley Area during the period May 1 through September 15, 1998, and continuing every year thereafter.

(b) A refiner, importer, distributor, reseller, terminal owner and operator or carrier, may not:

(1) Sell, exchange or supply gasoline that is not a compliant fuel during the period described in subsection (a).

(2) Blend, mix, store or transport or allow blending, mixing, storing or transporting of compliant fuel with noncompliant fuel during the period described in subsection (a).

(c) A retailer or wholesale purchaser-consumer may not sell, exchange or supply gasoline that is not a compliant fuel during the period June 1 through September 15, 1998, and continuing every year thereafter.

(d) This subchapter will no longer be applicable to the Pittsburgh-Beaver Valley Area upon the effective date of approval by the EPA of the removal, suspension or replacement of this subchapter as a part of the Commonwealth's SIP.

[Pa.B. Doc. No. 18-526. Filed for public inspection April 6, 2018, 9:00 a.m.]

**Title 25—ENVIRONMENTAL PROTECTION**

**SUSQUEHANNA RIVER BASIN COMMISSION**

**[ 25 PA. CODE CH. 801 ]**

**General Policies**

*Summary:* This document contains rules that amend the regulations of the Susquehanna River Basin Commission (Commission) to codify the Commission's Access to Records Policy providing rules and procedures for the public to request and receive the Commission's public records.

*Dates:* The rule is effective March 19, 2018.

*Addresses:* Susquehanna River Basin Commission, 4423 N. Front Street, Harrisburg, PA 17110-1788.

*For Further Information Contact:* Jason E. Oyler, Esq., General Counsel, 717-238-0423, ext. 1312; joyler@srbc.net. Also, for further information on the final rule, visit the Commission's website at <http://www.srbc.net>.

*Supplementary Information:* Notice of proposed rulemaking was published in the *Federal Register* on October 12, 2017 (82 FR 47407); *New York Register* on October 25, 2017; *Pennsylvania Bulletin* on October 21, 2017; and *Maryland Register* on October 27, 2017. The Commission convened a public hearing on November 2, 2017, in Harrisburg, Pennsylvania. A written comment period was held open through November 13, 2017.

The Commission received one comment on the proposed rule, which was supportive of the Commission's efforts to formalize its Access to Records Policy. The Commission also received two comments after the close of the official public comment period suggesting some changes to rulemaking.

Based upon input from the Commission's member jurisdictions, subsection (b)(4) is amended and a new subsection (f) is added to create an exception to records subject to public access for those internal, pre-decisional deliberations between staff and member jurisdictions working in cooperation with the Commission. The Commission will also modify § 801.14(b)(1) to clarify that it does not prohibit the Commission from providing salary information in response to records requests, as the Com-