

**Protocol for Presentation of
Regulations Under the Regulatory Review Act**

**Adopted by the EQB on October 24, 1984 and
Amended by the EQB on May 19, 1993**

A. General

Proceedings in matters pertaining to the review of the proposed Environmental Quality Board (EQB) regulations under the Regulatory Review Act (Act) should be conducted in a manner that minimizes any unnecessary delays in the adoption of regulations authorized by the EQB and recognizes informal, good-faith negotiations regarding proposed and final regulations.

B. Responsibilities of the EQB and the Chairperson

1. The Chairperson of the EQB or his designee shall represent the EQB in proceedings conducted pursuant to the Act, including before the Independent Regulatory Review Commission (IRRC).
2. The Chairperson or his designee acting pursuant to these guidelines shall accurately and faithfully present the rationale, policy considerations and justification for any regulation authorized by the EQB.
3. Following the Department's receipt of a notice of disapproval of a regulation from IRRC, the Chairperson or his designee may:
 - a. Notify the Governor, the designated standing committees of the House of Representatives and the Senate, and IRRC that the regulation is withdrawn.
 - b. Notify the Governor, the designated standing committees of the House of Representatives and the Senate, and IRRC that the regulation will be submitted without revisions within 40 days of the Department's receipt of the IRRC disapproval order, pursuant to Section 7 (b) of the Act.
 - c. Notify the designated standing committees of the House of Representatives and the Senate, and IRRC that the regulation will be submitted with further revisions within 40 days of the Department's receipt of the IRRC disapproval order, pursuant to Section 7 (c) of the Act.
4. Following a disapproval from either or both standing committees and/or IRRC, the Chairperson or his designee may withdraw a regulation from consideration by the standing committees of the House of Representatives and the Senate, and the IRRC, when deemed necessary.

5. The Chairperson or his designee shall promptly inform the EQB of any notification provided under Sections (3) or (4) at the next regularly scheduled EQB meeting.
6. The Chairperson or his designee shall prepare and submit such reports or other materials that are needed to comply with the procedures contained in the Act.