

**FILED**  
JUL 15 2005

MISSISSIPPI  
SECRETARY OF STATE



**NOTICE OF PROPOSED RULE ADOPTION**

**STATE OF MISSISSIPPI  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
OFFICE OF POLLUTION CONTROL**



Mississippi Department of Environmental Quality  
c/o Mark O. Smith  
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**Specific Legal Authority authorizing the promulgation of Rule:**

Miss. Code Ann. § 49-2-9

**Reference to Rules replaced, amended or suspended by the Proposed Rule:** Final FY-2005 Water Pollution Control (Clean Water) Revolving Loan Fund Intended Use Plan

**Explanation of the purpose of the Proposed Rule and the reason(s) for the proposing the rule:** The purpose of the draft revisions to the FY-05 Intended Use Plan is: (1) to add projects to the FY-06 and After Planning List for possible funding during FY-05, (2) to account for the fact that not all of the state match funds needed to match the FY-055 Cap Grant will be available during State FY-06, (3) to obligate anticipated SRF loan repayments and interest earnings through September 2006 to replace the state match and federal funds that will not be available during FY-05 and to provide additional funds for anticipated loan increase requests or other award requests, and (4) to provide clarification of the Department's authority to make certain amendments to existing loan agreements and to fund projects on the priority list in multiple loan awards.

This rule is proposed as a  Final Rule, and/or a  Temporary Rule (Check one or both boxes as applicable.)

Persons may present their views on the proposed rule by addressing written comments to the agency at the above address. Persons making comments should include their name and address, as well as other contact information, and if you are an agency or attorney, the name, address and telephone number of the party or parties you represent.

**Oral Proceeding:** Check one box below.

An oral proceeding is scheduled on this rule on August 15, 2005 at 1:00 p.m. in the offices of the Mississippi Department of Environmental Quality located at 2380 Hwy 80 West (Southport Center) in Jackson, Mississippi.

If you wish to be heard and present evidence at the oral proceeding you must make a written request to the agency at the above address at least five (5) days prior to the proceeding to be placed on the agenda. The request should include your name, address and telephone number as well as other contact information; and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

An oral proceeding is not scheduled on this rule. Where an oral proceeding is not scheduled, an oral proceeding will be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address and telephone number of the person(s) making the request; and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

**Economic Impact Statement:** Check one box below:

The agency has determined that an economic impact statement is not required for this rule, or

The concise summary of the economic impact statement required is attached.

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

**Date Rule Proposed:** July 15, 2005

**Proposed Effective Date of Rule:** August 25, 2005

Mary Jay Easley, Senior Attorney  
Signature and Title of Person Submitting Rule for Filing

SOS FORM APA 001  
Effective Date 01/07/2005