

NOTICE OF RULE ADOPTION—FINAL RULE

FILED
AUG 04 2005
MISSISSIPPI
SECRETARY OF STATE
[Signature]

STATE OF MISSISSIPPI
Commission on Environmental Quality
Department of Environmental Quality

Mississippi Commission on Environmental Quality
Attn: Ted Lampton, Senior Attorney
P.O. Box 20305
Jackson, Mississippi 39289-1305
601-961-5573
ted_lampton@deq.state.ms.us

Specific Legal Authority Authorizing the promulgation of Rule: Miss. Code Ann § 49-2-9(1) (2003), and Miss. Code Ann § 49-17-17 (2003), and Miss. Code Ann § 17-17-27 (2003).

Reference to Rules repealed, amended or suspended by the Proposed Rule. "Mississippi Hazardous Waste Management Regulations", HW-1

Date Rule Proposed: May 11, 2005

Explanation of the Purpose of the Proposed Rule and the reason(s) for proposing the rule: The amendments to "Mississippi Hazardous Waste Management Regulations", HW-1, involve revising state regulations to incorporate by reference recent revisions in the federal Resource Conservation and Recovery Act (RCRA) Regulations found at 40 CFR part 124, 40 CFR part 126, and 40 CFR parts 261 through 279.

The Agency Rule Making Record for this rule including any written comments received during the comment period and the record of any oral proceeding is available for public inspection by contacting the Agency at the above address.

An oral proceeding was held on this rule:

Date: June 30, 2005
Time: 1:30 p.m. CDT
Place: Mississippi Dept. of Environmental Quality
101 W. Capitol St.
Jackson, Mississippi

An oral proceeding was not held on this rule.

The Agency has considered the written comments and the presentations made in any oral proceedings, and

This rule as adopted is without variance from the proposed rule.

This rule as adopted is differs from the proposed rule as there are minor editorial changes which affect the form rather than the substance of the rule.

The rule as adopted differs from the proposed rule. The differences however are:
Within the scope of the matter in the notice of proposed rule adoption,
The logical outgrowth of the contents of the Notice of Proposed Rule Adoption and the comments submitted response thereto, and
The Notice of Proposed rule Adoption provided fair warning that the outcome of the proposed rule adoption could be the rule in question.

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

Effective Date of Rule: Adopted July 28, 2005.
Effective 30 days after filing.

Ted Lampton

Ted Lampton
Senior Attorney