

## NOTICE OF RULE ADOPTION – FINAL RULE

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

Mississippi Department of Environmental Quality  
c/o Mark O. Smith  
P O Box 10385  
Jackson MS 329289-0385  
601-961-5130  
[Mark\\_Smith@deq.state.ms.us](mailto:Mark_Smith@deq.state.ms.us)

#### **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 final 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.

**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: August 15, 2005  
Time: 1:00 P.M.  
Place: Commission Hearing Room, MS Department of Environmental Quality

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 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:** September 26, 2005

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Signature and Title of Person Submitting Rule for Filing**

SOS FORM APA 002  
Effective Date 01/07/2005