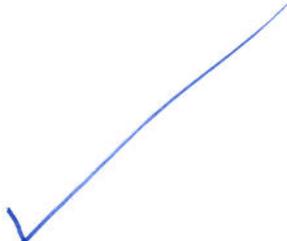




MISSISSIPPI SECRETARY OF STATE

NOTICE OF PROPOSED RULE ADOPTION

STATE OF MISSISSIPPI Mississippi Commission on Environmental Quality Mississippi Department of Environmental Quality



Mississippi Commission on Environmental Quality c/o Ted Lampton, Senior Attorney Department of Environmental Quality Post Office 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. Section 51-3-25 (2003), and Miss. Code Ann. § 49-2-9(1) (2003). Reference to Rules repealed, amended or suspended by the Proposed Rule :Amended Commission on Environmental Quality Regulation LW-2.

Explanation of the Purpose of the Proposed Rule and the reason(s) for proposing the rule: The purpose of the proposed amendment to the State of Mississippi LW-2 Regulations is to allow for the aesthetic use of groundwater under certain circumstances, and to describe the circumstances where a Permit is required for such use. The proposed amendment also allows the Department of Environmental Quality (MDEQ) the discretion to apply groundwater well spacing requirements when deemed necessary by the department; rather than automatically applying groundwater well spacing requirements for every Application for Groundwater Use Permit.

This rule is proposed as a [X] 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 agent or attorney, the name, address and telephone number of the party or parties you represent.

Oral Proceeding: Check one box below:

- [X] An oral proceeding is scheduled on this rule on Date: January 11, 2005 Time: 10:00 a.m. Place: MDEQ Central Office, Southport Center, 2380 Hwy 80 West, Jackson, MS 39204

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, 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:

- [X] 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: December 1, 2005

Proposed Effective Date of Rule: February 25, 2005

Ted Lampton Ted Lampton, Senior Attorney