



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

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: FY-06 WPCRLF Intended Use Plan

Explanation of the Purpose of the Proposed Rule and the reason(s) for the proposing the rule: The Final Amendment No. 1 to the FY-06 Intended Use Plan accounts for (1) an increase in the FY-06 federal Capitalization Grant, (2) actual known state match amounts, and (3) state bonds provided for state match will be retired with the interest portion of the fund's loan repayments and interest earnings on fund deposits, contingent upon the State receiving approval from EPA Region IV and EPA Headquarters.

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.

[X] An oral proceeding was held on this rule:

Date: August 17, 2006
Time: 11:00 a.m.
Place: Offices of Mississippi 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.

[X] 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 in 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: 30 days after filing with Secretary of State

Ted Lampton, Senior Attorney, MDEQ
Signature and Title of Person Submitting Rule for Filing