FILED
SEP 15 2006
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 Mary Jacq Easley, Senior Attorney
Department of Environmental Quality
Post Office Box 20305
Jackson, Mississippi 39289-1305
(601) 961-5369
mary_jacq_easley@deq.state.ms.us

Specific Legal Authority Authorizing the promulgation of Rule:
Miss. Code Ann. 49-2-9(1)(b) Rev. 2003

Reference to Rules repealed, amended or suspended by the Proposed Rule: "Air Emission Regulations for the Prevention, Abatement, and Control of Air Contaminants", APC-S-1

Explanation of the Purpose of the Proposed Rule and the reason(s) for proposing the rule:
The amendments to "Air Emission Regulations for the Prevention, Abatement, and Control of Air Contaminants", APC-S-1 involve: (1) Amendments to adopt provisions for air emissions trading and related requirements pursuant to the Federal Clean Air Interstate Rule; (2) Amendments to adopt emission guidelines for the control of mercury emissions pursuant to the Federal Clean Air Mercury Rule. and; (3) Amendments to adopt, by reference, federal New Source Performance Standards and National Emission Standards for Hazardous Air Pollutants that have been promulgated by the U.S. Environmental Protection Agency since June 17, 2005

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 agent 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:

Date: Tuesday, October 17, 2006
Time: 10:00 a.m.
Place: Mississippi Dept. of Environmental Quality, 101 W. Capitol St., 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, 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: September 15, 2006

Proposed Effective Date of Rule: 30 days after filing of final rule.

Mary Jacq Easley

Mary Jacq Easley, Senior Attorney

SOS FORM APA 001
Effective Date 01/07/2005