



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 Theodore D. Lampton III, 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 53-9-11 (2003), and Miss. Code Ann. § 49-2-9(1) (2003).
Reference to Rules repealed, amended or suspended by the Proposed Rule : amends Regulations Governing Surface Coal Mining in Mississippi (GEO-2).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 Regulations Governing Coal Mining in Mississippi (GEO-2) is to make these regulations consistent with rules and regulations promulgated by the U. S. Secretary of the Interior under the federal Surface Mining Control and Reclamation Act of 1977, as amended, with respect to the definition and use of the terms "Valid Rights" and "Valid Existing Rights".

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: September 18, 2007
Time: 4:30 p.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: August 13, 2007

Proposed Effective Date of Rule: October 29, 2007

Theodore D. Lampton III, Senior Attorney