



NOTICE OF RULE ADOPTION—FINAL RULE

**STATE OF MISSISSIPPI
Commission on Environmental Quality
Department of Environmental Quality
Office of Pollution Control**

Mississippi Department of Environmental Quality
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Specific Legal Authority Authorizing the promulgation of Rule: Miss. Code Ann. §§ 49-2-9 (1), 49-17-17, and 49-17-25 (2003)

Reference to Rules repealed, amended or suspended by the Proposed Rule. “Regulations for the Prevention of Significant Deterioration of Air Quality”, APC-S-5

Date Rule Proposed: June 15, 2007

Explanation of the Purpose of the Proposed Rule and the reason(s) for proposing the rule: Amendments to “Regulations for the Prevention of Significant Deterioration of Air Quality”, APC-S-5 to adopt, by reference, federal regulations as promulgated in 40 CFR Parts 51.166 and 52.21 by the U.S. Environmental Protection Agency as of June 15, 2007 in order to make the state regulations consistent with the federal requirements.

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: July 17, 2007
Time: 10:00 a.m. CDT
Place: Mississippi Dept. of Environmental Quality, 101 W. Capitol St., Jackson, Mississippi

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: Adopted August 23, 2007
Effective 30 days after filing

Signature and Title of Person Submitting Rule for Filing

Theodore D. Lampton III, Senior Attorney, MDEQ