

**NOTICE OF RULE ADOPTION—TEMPORARY RULE
STATE OF MISSISSIPPI
DEPARTMENT OF AGRICULTURE AND COMMERCE**

**Mr. Robert X. Louys, Director
Petroleum Products Division
MS Dept. of Agriculture and Commerce
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Specific Legal Authority authorizing the promulgation of Rule:
Miss. Code Ann. Section 75-55-6

Reference to Rules repealed, amended or suspended by the Temporary Rule: MDAC Rules, Subpart 4, Chapter 8, Section 105

Date Rule Proposed: February 27, 2008

Explanation of the Purpose of the Temporary Rule and the reason(s) for the rule:

The Department has seen a large influx of alcohol blended fuel being sold at retail stations and the fuel has either not been registered with the Department per current section 105 or not being registered timely so that the Department can determine whether the fuel and/or the location that the fuel is being sold from meets the requirements of the Petroleum Products Inspection Law and the regulations adopted in support of the Law. Therefore, the Department hereby amends section 105 to clarify registration requirements and to set notification requirements.

The Agency finds that an imminent peril to the public health safety or welfare requires the adoption of a rule upon fewer than twenty-five (25) days notice. The Agency Rule Making Record for this temporary 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:
Time:
Place:

An oral proceeding was not held on this rule.

The Agency has considered any written comments received and the presentations made in any oral proceeding, and

This rule as adopted is without variance from the proposed temporary rule.

This rule as adopted differs from the proposed temporary 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 temporary 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 Temporary Rule including the text of any rule being amended or changed is attached.

Effective Date of RULE: February 27, 2008

s/Rickey Gray

Rickey Gray, Deputy Commissioner