

NOTICE OF RULE ADOPTION—FINAL RULE

STATE OF MISSISSIPPI

DEPARTMENT OF AGRICULTURE AND COMMERCE

Mr. Robert X. Louys, Director
Petroleum Products Inspection Division
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Specific Legal Authority Authorizing the promulgation of Rule:

Miss. Code Ann. §75-55-3(3), §75-55-5(1)(m), amended by 2008 SB 2939 effective upon passage

Reference to Rules repealed, amended or suspended by the Proposed Rule:

Amends Section 108 of the Petroleum Products Inspection Regulations (02.I.04.08 MISS ADMIN CODE §108). Repeals section 109 of the PPPI Regulations.

Date Rule Proposed: April 15, 2008

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

In order to increase the availability of ethanol-blended gasoline in MS, the Department and the State Chemist hereby file this regulation that lowers the distillation temperature for ethanol blends in MS, establishes a vapor pressure tolerance not exceeding one pound per square inch for ethanol blends of up to 10 per cent, and waives the minimum temperature requirement at which $tv/l=20$ in the latest version of ASTM D4814. For clarity purposes, section 108 on gasoline specifications has been restructured by compiling all current product specifications in one section, including ethanol blends. Accordingly, Section 109 "Gasoline/Alcohol Blends," is repealed, as this section has been subsumed by the amendment to section 108.

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:
Time:
Place:

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 is 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: June 26, 2008

LESTER SPELL, D.V.M., COMMISSIONER

DR. KEVIN ARMBRUST, STATE CHEMIST

SOS FORM APA 002
Effective Date 01/07/2005