



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

Mr. Robert X. Louys, Director
Petroleum Products Division
P.O. Box 1609
Jackson, MS 39215-609
601-359-1171
Robert@mdac.state.ms.us

Specific Legal Authority authorizing the promulgation of
Rule: Miss. Code Ann. §75-55-3(3) and Miss. Code Ann. §
75-55-5(1)(m), amended by 2008 SB 2939 effective upon
passage

Reference to Rules repealed, amended or suspended by the
Temporary 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.
(02.I.04.08 MISS ADMIN CODE §109).

Date Rule Proposed: April 15, 2008

Explanation of the Purpose of the Temporary Rule and the reason(s) for 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Accordingly, Section 109 "Gasoline/Alcohol Blends," is repealed, as this section has been subsumed by the temporary
amendment to section 108.

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:

[x] 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: April 15, 2008

[Signature]
LESTER SPELL, D.V.M., COMMISSIONER

[Signature]
DR. KEVIN ARMBRUST, STATE CHEMIST