

16637

NOTICE OF RULE ADOPTION—FINAL RULE

FILED
DEC 16 2009

MISSISSIPPI
SECRETARY OF STATE

STATE OF MISSISSIPPI
Commission on Environmental Quality
Department of Environmental Quality

Mississippi Commission on Environmental
Quality
c/o Ted Lampton, Senior Attorney
Department of Environmental Quality
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Specific Legal Authority Authorizing the promulgation of
Rule:
Miss. Code Ann. 49-2-9, 49-17-25, 49-17-405, and 49-17-413
Rev. 2003
Reference to Rules repealed, amended or suspended by the
Proposed Rule:

Mississippi Groundwater Protection Trust Fund
Regulations (UST – 1)

Date Rule Proposed: December 1, 2009

Explanation of the Purpose of the Proposed Rule and the reason(s) for proposing the rule: This proposed rule will amend the present Mississippi Groundwater Protection Trust Fund Regulations by allowing UST tank owners to designate response action contractor for direct payment by MDEQ for costs incurred that were necessary, fair, and reasonable for investigation, assessment, and/or remediation of confirmed releases covered by the trust fund, and to increase the maximum eligible costs incurred up to \$1,500,000 for investigation, assessment, and/or remediation for each confirmed release covered by the trust fund.

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: Tuesday, December 1, 2009
Time: 1:30 PM
Place: Commission Hearing Room, 515 East Amite Street, Jackson, MS.

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.

Date Rule Adopted: December 10, 2009

Effective Date of Rule: January 16, 2010


Jerry B. Banks
Chief, Groundwater Assessment & Remediation Division