

Mississippi Secretary of State
700 North Street P. O. Box 136, Jackson, MS 39205-0136

ADMINISTRATIVE PROCEDURES NOTICE FILING

AGENCY NAME MS State Department of Health		CONTACT PERSON Charles Shultis OR Tim Darnell		TELEPHONE NUMBER 601.364.2300 OR 601.576.7690	
ADDRESS 2095 Dunbarton Drive - Suite 201		CITY Jackson		STATE MS	ZIP 39216
EMAIL charles.shultis@msdh.state.ms.us OR tim.darnell@msdh.state.ms.us	SUBMIT DATE 6.11.10	Name or number of rule(s): As titled w/ SOS: Chapter 05 Regulation Governing Individual Onsite Wastewater Disposal: Design Standard II (Aggregate Disposal Systems)			

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: Allow Aggregate disposal systems to be as close as 50 feet from Sensitive Waters.

Specific legal authority authorizing the promulgation of rule: Law: 41-67-3 (Duties and Responsibilities)

List all rules repealed, amended, or suspended by the proposed rule: As titled w/ SOS: Chapter 05 Regulation Governing Individual Onsite Wastewater Disposal: Design Standard II (Aggregate Disposal Systems)

ORAL PROCEEDING:

An oral proceeding is scheduled for this rule on Date: 6.30.10 Time: 10-11am Place: Osborne building (auditorium)

Presently, an oral proceeding is not scheduled on this rule.

If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) or more persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address, email address, and telephone number of the person(s) making the request; and, if you are an agent or attorney, the name, address, email address, and telephone number of the party or parties you represent. At any time within the twenty-five (25) day public comment period, written submissions including arguments, data, and views on the proposed rule/amendment/repeal may be submitted to the filing agency.

ECONOMIC IMPACT STATEMENT:

Economic impact statement not required for this rule. Concise summary of economic impact statement attached.

<p>TEMPORARY RULES</p> <p><input type="checkbox"/> Original filing <input type="checkbox"/> Renewal of effectiveness To be in effect in <input type="checkbox"/> days Effective date: <input type="checkbox"/> Immediately upon filing <input type="checkbox"/> Other (specify): <input type="checkbox"/></p>	<p>PROPOSED ACTION ON RULES</p> <p>Action proposed: <input type="checkbox"/> New rule(s) <input checked="" type="checkbox"/> Amendment to existing rule(s) <input type="checkbox"/> Repeal of existing rule(s) <input type="checkbox"/> Adoption by reference Proposed final effective date: <input checked="" type="checkbox"/> 30 days after filing <input type="checkbox"/> Other (specify): <input type="checkbox"/></p>	<p>FINAL ACTION ON RULES</p> <p>Date Proposed Rule Filed: <input type="checkbox"/> Action taken: <input type="checkbox"/> Adopted with no changes in text <input type="checkbox"/> Adopted with changes <input type="checkbox"/> Adopted by reference <input type="checkbox"/> Withdrawn <input type="checkbox"/> Repeal adopted as proposed Effective date: <input type="checkbox"/> 30 days after filing <input type="checkbox"/> Other (specify): <input type="checkbox"/></p>
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Printed name and Title of person authorized to file rules: Timothy B. Darnell Dir. of Env. Health

Signature of person authorized to file rules: [Signature]

<p>OFFICIAL FILING STAMP</p> <div style="border: 1px solid black; height: 100px; width: 100%;"></div> <p>Accepted for filing by</p>	<p>DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP</p> <div style="border: 1px solid black; padding: 10px;"> <p style="font-size: 2em; font-weight: bold; letter-spacing: 5px;">FILED</p> <p>JUN 16 2010</p> <p>MISSISSIPPI</p> <p>SECRETARY OF STATE</p> </div> <p>Accepted for filing by <u>[Signature]</u></p>	<p>OFFICIAL FILING STAMP</p> <div style="border: 1px solid black; height: 100px; width: 100%;"></div> <p>Accepted for filing by</p>
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The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

Date: June 11, 2010

To: *Mississippi - Secretary of State*
700 North State Street
P.O. Box 136
Jackson, MS 39205-0136

From: *Mississippi State Department of Health – Division of On-site Wastewater*
2095 Dunbarton Drive – Suite 201
Jackson, MS 39216

Re: Notice of Proposed Rule Adoption (Form 001)
As titled w/ SOS: Chapter 05 Regulation Governing Individual Onsite Wastewater Disposal: Design Standard II (Aggregate Disposal Systems)

To whom this may concern:

The following Regulation is being filed with the Secretary of State, under the statutory authority of the Mississippi Individual On-site Wastewater Disposal System Law, 41 – 67 – 3 Duties and Responsibilities:

- Chapter 05 Regulation Governing Individual Onsite Wastewater Disposal: Design Standard II (Aggregate Disposal Systems)

Please find two (2) paper copies and (1) electronic copy (CD) of the above Regulation:

- Strikethroughs and underlines
- “Clean” copy (no strikethroughs or underlines)

The Oral Proceeding is scheduled for this rule on June 30, 2010 (10am-11am) at the Mississippi State Department of Health – Osborne building (auditorium).

For any additional questions, please contact this office at 601.364.2300.