

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

**ADMINISTRATIVE PROCEDURES NOTICE FILING**

<b>AGENCY NAME</b> Mississippi Commission on Environmental Quality Mississippi Department of Environmental Quality		<b>CONTACT PERSON</b> Ted Lampton	<b>TELEPHONE NUMBER</b> 601-961-5573	
<b>ADDRESS</b> P.O. Box 2261		<b>CITY</b> Jackson	<b>STATE</b> MS	<b>ZIP</b> 39225
<b>EMAIL</b> Ted_Lampton@deq.state.ms.us	<b>SUBMIT DATE</b> 11-1-10	<b>Name or number of rule(s):</b> "Regulations for the Prevention of Significant Deterioration of Air Quality", APC-S-5		

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: Amendments to APC-S-5 to incorporate, by reference, updated relevant portions of federal regulations as promulgated in 40 CFR Parts 51.166, 52.21, and 52.22 in order to make the state Prevention of Significant Deterioration of Air Quality (PSD) permitting program consistent with federal requirements for greenhouse gases. The amendments incorporate the U.S. Environmental Protection Agency's recently promulgated Tailoring Rule for Greenhouse Gases.

Specific legal authority authorizing the promulgation of rule: Miss. Code Ann. §§49-2-9(1)(b) and 49-17-17 (Rev.2003)  
List all rules repealed, amended, or suspended by the proposed rule: APC-S-5

**ORAL PROCEEDING:**

An oral proceeding was held for this rule on: Date: October 13, 2010 Time: 10:00 a.m. Place: Mississippi Department of Environmental Quality, 515 E. Amite St., Jackson, Mississippi 39201

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.

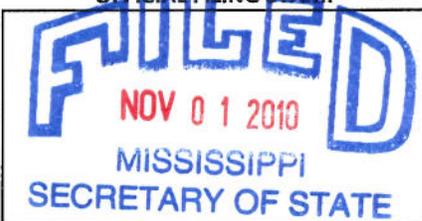
**ECONOMIC IMPACT STATEMENT:**

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

TEMPORARY RULES	PROPOSED ACTION ON RULES	FINAL ACTION ON RULES
_____ Original filing _____ Renewal of effectiveness To be in effect in _____ days Effective date: _____ Immediately upon filing _____ Other (specify): _____	<b>Action proposed:</b> _____ New rule(s) _____ Amendment to existing rule(s) _____ Repeal of existing rule(s) _____ Adoption by reference <b>Proposed final effective date:</b> _____ 30 days after filing _____ Other (specify): _____	<b>Date Proposed Rule Filed:</b> <u>9-13-10</u> <b>Action taken:</b> _____ Adopted with no changes in text <input checked="" type="checkbox"/> Adopted with changes _____ Adopted by reference _____ Withdrawn _____ Repeal adopted as proposed <b>Effective date:</b> <input checked="" type="checkbox"/> 30 days after filing _____ Other (specify): _____

Printed name and Title of person authorized to file rules: Theodore D. Lampton, III, Senior Attorney

Signature of person authorized to file rules: *Ted Lampton*

<b>OFFICIAL FILING STAMP</b> <div style="border: 1px solid black; height: 100px; width: 100%;"></div> Accepted for filing by _____	<b>DO NOT WRITE BELOW THIS LINE</b> <b>OFFICIAL FILING STAMP</b> <div style="border: 1px solid black; height: 100px; width: 100%;"></div> Accepted for filing by _____	<b>OFFICIAL FILING STAMP</b>  Accepted for filing by <u>CB17398</u>
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The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.