

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

ADMINISTRATIVE PROCEDURES NOTICE FILING

AGENCY NAME Mississippi State Department of Health		CONTACT PERSON William F. Moody	TELEPHONE NUMBER 601-576-7518	
ADDRESS 570 East Woodrow Wilson, Suite 232		CITY Jackson	STATE MS	ZIP 39215
EMAIL wmoody@msdh.state.ms.us	SUBMIT DATE 3/5/11	Name or number of rule(s): Draft FY-2010 Intended Use Plan Amendment #2 for the DWSIRLF		

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: This will be the Draft FY-2011 Intended Use Plan will show projects to be funded and the terms of the assistance for Drinking Water Systems Improvements Revolving Loan Fund.

Specific legal authority authorizing the promulgation of rule: Mississippi Code Ann. § 41-3-16

List all rules repealed, amended, or suspended by the proposed rule:

ORAL PROCEEDING:

An oral proceeding is scheduled for this rule on Date: 2/25/2011 Time: 9:00 am Place: Mississippi State Dept. of Health, 2423 North State Street, U-232, Jackson, MS 39215

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

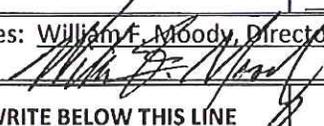
If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) or more persons. The written request should be submitted to the agency contact person at the above address within twenty (20) 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.

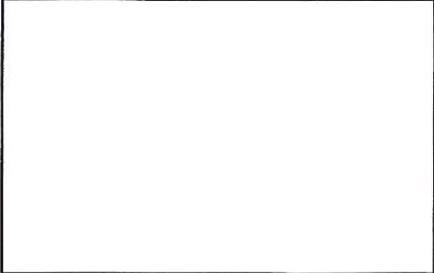
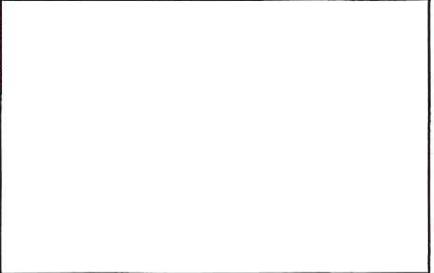
ECONOMIC IMPACT STATEMENT:

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
<input type="checkbox"/> Original filing <input type="checkbox"/> Renewal of effectiveness To be in effect in _____ days Effective date: <input type="checkbox"/> Immediately upon filing <input type="checkbox"/> Other (specify): _____	Action proposed: <input type="checkbox"/> New rule(s) <input 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 type="checkbox"/> 30 days after filing <input type="checkbox"/> Other (specify): _____	Date Proposed Rule Filed: <u>1/25/2011</u> Action taken: <input checked="" 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 checked="" type="checkbox"/> 30 days after filing <input type="checkbox"/> Other (specify): _____

Printed name and Title of person authorized to file rules: William F. Moody, Director, Drinking Water SRF

Signature of person authorized to file rules: 

OFFICIAL FILING STAMP  Accepted for filing by _____	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP  Accepted for filing by _____	OFFICIAL FILING STAMP  Accepted for filing by <u>CB11597E</u>
---	---	---

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

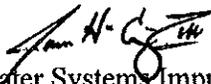


LOCAL GOVERNMENTS AND RURAL WATER SYSTEMS
IMPROVEMENTS BOARD

MEMORANDUM

Date: March 4, 2011

To: Mayors, Presidents of Boards of Supervisors, County Administrators, Presidents of Rural Water Associations, Consulting Engineers, and Other Interested Parties

From: James H. Craig, III, Chairman 
Local Governments and Rural Water Systems Improvements Board

Subject: Drinking Water Systems Improvements Revolving Loan Fund (DWSIRLF) Program
Final FY-2010 Intended Use Plan (IUP) Amendment #2

Final FY-2010 Intended Use Plan Amendment #2

The Local Governments and Rural Water Systems Improvement Board (Board) established a public comment period on the Final FY-2010 IUP Amendment #2 for the DWSIRLF Loan Program through 9:00 a.m. on February 25, 2011. Written comments were received until that time at the address noted below.

The Board held a public hearing at 9:00 a.m., Friday, February 25, 2011, in Room U-232, in the offices of the Mississippi State Department of Health (MSDH), located at 2423 North State Street (Underwood Building) in Jackson, Mississippi, to receive written or verbal comments on the document. No comments were received.

As previously stated, the FY-2010 DWSIRLF funding included varying amounts of **principal forgiveness** which were disbursed to all eligible recipients up to the 30% limit for subsidized funding from the FY-2010 Capitalization Grant. The amount of principal forgiveness was based on the water system's median household income (MHI) vs. the State's MHI. Details on amount forgiven per system are outlined on page 15 and listed on the priority and planning lists of the IUP beginning on page 24. When the subsidized funding limit was reached, the program resumed with normal loan parameters (i.e., interest rate, repayment terms, etc.). Furthermore, the grant required that 20% of the funds must be awarded for the construction of "Green Infrastructure" as defined in EPA guidelines.

The Final FY-2010 IUP Amendment #2 reflects a 1.95% loan interest rate for all FY-2010 projects with a 20-year repayment period. It also includes a limit of one project per loan recipient with a maximum loan amount of \$5,000,000 and the approved method for which to reallocate any returned principal forgiveness funds. The list of projects to receive loan funding is included in the Final FY-2010 IUP Amendment #2 and has been prioritized in accordance with criteria previously approved by the Board.

Loan recipients and their consulting engineers needing additional information on program requirements should review current guidelines and memos available to aid in compliance. The guidelines, memos and necessary forms can be found at our website www.healthyms.com/dwsrf.

Copies of the Final FY-2010 IUP Amendment #2 are being mailed to those loan recipients who were awarded loans during the FY-2010 funding year. If you did not receive a copy of these documents, but would like one, you can download a copy from the MSDH website at www.healthyms.com/dwsrf, or contact Jennifer King at (601) 576-7518, and a copy or copies will be mailed to you.

We look forward to receiving your input on these documents. If you have any questions, or if we may be of assistance, please contact Ulysses Conley at (601) 576-7518.

Enclosures