

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

ADMINISTRATIVE PROCEDURES NOTICE FILING

AGENCY NAME Mississippi Commission on Environmental Quality Mississippi Department of Environmental Quality		CONTACT PERSON Ted Lampton	TELEPHONE NUMBER 601-961-5573	
ADDRESS P.O. Box 2261		CITY Jackson	STATE MS	ZIP 39225
EMAIL Ted_Lampton@deq.state.ms.us	SUBMIT DATE: 9-2-14	Name or number of rule(s): Mississippi Administrative Code, Title 11, Part 2, Chapter 11, "REGULATIONS FOR AMBIENT AIR QUALITY NONATTAINMENT AREAS"		

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: The Department is proposing to adopt new air pollution control regulations specifically for the purposes of implementing federal requirements for areas designated as nonattainment for National Ambient Air Quality Standards (NAAQS). The proposed new air pollution control regulations are entitled 11 Mississippi Administrative Code, Part 2, Chapter 11, "Regulations for Ambient Air Quality Nonattainment Areas". The regulations will be applicable to sources in DeSoto County, Mississippi as well as any other areas in Mississippi that may be designated nonattainment for air quality in the future.

Specific legal authority authorizing the promulgation of rule: Miss. Code Ann. §§49-2-9(1)(b) and 49-17-17 (Rev.2012)
 List all rules repealed, amended, or suspended by the proposed rule: 11 Miss. Admin. Code Pt. 2, Ch. 11

ORAL PROCEEDING:

An oral proceeding is scheduled for this rule on: Date: October 2, 2014, Time: 10:30 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.

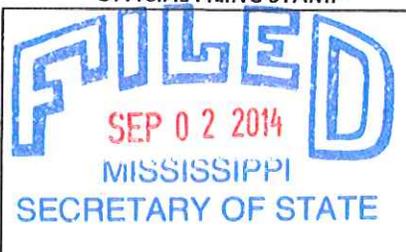
ECONOMIC IMPACT STATEMENT:

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): _____	Action proposed: <input checked="" type="checkbox"/> New rule(s) _____ Amendment to existing rule(s) _____ Repeal of existing rule(s) _____ Adoption by reference Proposed final effective date: <input checked="" type="checkbox"/> 30 days after filing _____ Other (specify): _____	Date Proposed Rule Filed: Action taken: _____ Adopted with no changes in text _____ Adopted with changes _____ Adopted by reference _____ Withdrawn _____ Repeal adopted as proposed Effective date: _____ 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*

OFFICIAL FILING STAMP <div style="border: 1px solid black; height: 100px; width: 100%;"></div> Accepted for filing by	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP <div style="border: 1px solid black; padding: 10px; text-align: center;">  </div> Accepted for filing by <u>#20748</u> <i>[Signature]</i>	OFFICIAL FILING STAMP <div style="border: 1px solid black; height: 100px; width: 100%;"></div> Accepted for filing by
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The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY
NOTICE OF PUBLIC HEARING

PUBLIC NOTICE START DATE: SEPTEMBER 2, 2014
DEADLINE FOR COMMENTS: OCTOBER 2, 2014

PLEASE TAKE NOTE that the Mississippi Commission on Environmental Quality (“Commission”) is considering adopting a State Implementation Plan Revision for Purposes of an Emissions Inventory for the Ozone Nonattainment Area of DeSoto County, Mississippi and adopting new air pollution control regulations for areas in Mississippi designated as Nonattainment for Federal National Ambient Air Quality Standards (NAAQS). The new proposed regulations will be entitled 11 Mississippi Administrative Code, Part 2, Chapter 11, “Regulations for Ambient Air Quality Non-Attainment Areas” and will be applicable statewide.

I. Substance of the proposed action:

On July 22, 2012, the United States Environmental Protection Agency (EPA) designated a portion of DeSoto County, Mississippi to be included as a part of the Memphis, Tennessee – Mississippi – Arkansas (TN-MS-AR) Marginal Ozone Non-Attainment Area. Therefore, the Mississippi Department of Environmental Quality (MDEQ) is required by the Clean Air Act (CAA) to implement requirements for certain air emission sources in Non-Attainment Areas to submit an Emissions Statement annually. The Department is also required to submit an Emissions Inventory of sources in the non-attainment portion of DeSoto County, Mississippi. Section 182(a)(3)(B) of the (CAA) requires that within two (2) years of enactment of the CAA Amendments of 1990, states submit to EPA a SIP submittal requiring sources in their marginal and above ozone non-attainment areas to submit annual emissions statements. CAA section 182(a)(1) requires that marginal and above ozone nonattainment areas submit a base year emission inventory of ozone precursors for the nonattainment area two(2) years after designation.

The Department is proposing to adopt a State Implementation Plan Revision (SIP Revision) which includes adoption of new air pollution control regulations specifically for the purposes of implementing federal requirements for areas designated as non-attainment for National Ambient Air Quality Standards (NAAQS). The proposed new air pollution control regulations are entitled 11 Mississippi Administrative Code, Part 2, Chapter 11, “Regulations for Ambient Air Quality Non-Attainment Areas”. The regulations will be applicable to sources in DeSoto County, Mississippi as well as any other areas in Mississippi that may be designated non-attainment for air quality in the future. The proposed SIP Revision also includes the required emissions inventory for DeSoto County, Mississippi.

II. Manner By Which the Public May Comment.

Copies of the proposed SIP Revision and proposed regulations may be obtained by calling Mr. Keith Head at 601-961-5577 or writing to Mississippi Department of Environmental Quality, Air Division, P.O. Box 2261, Jackson, Mississippi 39201. For persons with internet access, the proposed SIP Revision and proposed regulations may be found on the Mississippi Department of Environmental Quality’s website at <http://www.deq.state.ms.us> under Programs/Air Quality/New Information. Also, the proposed SIP Revision and proposed regulations will be available for public review through October 2, 2014, in the main branch of the public library in Gulfport, Hernando, and Tupelo, Mississippi. The proposed SIP Revision and proposed regulations may also be reviewed in the offices of the Mississippi Department of Environmental Quality, 515 E. Amite Street, Jackson, Mississippi. Please contact Mr. Lorenzo Boddie at (601) 961-5171 to schedule an appointment.

Members of the public may present verbal or written comments at the public hearing described below. Also, written statements regarding the proposed SIP Revision and/or proposed regulations will be made part of the public hearing record if delivered by 5:00 p.m., October 2, 2014, to the attention of Ms. Maya Rao at the address shown above.

III. Notice of Public Hearing.

A public hearing to receive comments regarding the proposed SIP Revision and proposed regulations will be held on October 2, 2014, at 10:30 a.m., in Room 104A at the offices of the Mississippi Department of Environmental Quality, 515 E. Amite St., Jackson, Mississippi 39201.

IV. Additional Information.

For additional information, please contact Mr. Keith Head at 601-961-5577.