SOS APA Form 001

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

ADMINISTRATIVE PROCEDURES NOTICE FILING

AGENCY NAME		CONTACT PERSON	TELEPHONE NUMBER	
Mississippi Commission on Environmental Quality Mississippi Department of Environmental Quality		Ted Lampton	601-961-5573	
ADDRESS P.O. Box 2261		CITY Jackson	STATE MS	ZIP 39225
EMAIL Ted_Lampton@deq.state.ms.us	SUBMIT DATE: 10-25-13	Name or number of rule(s): Mississippi Administrative Code, Title 11, Part 2, Chapter 9, "Regulations for Lead-Based Paint Activities"		

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: Amendments to Mississippi Administrative Code, Title 11, Part 2, Chapter 9. The amendments concern changes to make the regulations consistent with amendments to federal EPA regulations and the Mississippi Lead-Based Paint Activity Accreditation and Certification Act, as amended by Mississippi Senate Bill 2688 (Regular Session 2013). The changes include removal of the "Opt-Out Provision", as well as adding provisions to allow renovators to do paint chip sampling, and further defining the recordkeeping and reporting requirements for renovation activities. Other changes include minor clarification of certain definitions and provisions related to training program accreditation requirements, containment requirements, prohibited and restricted work practices, and signage and pre-renovation education requirements for child-occupied facilities.

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List all rules repealed, amended, or suspended by the proposed rule: 11 Miss.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. 9

ORAL PROCEEDING:

☒ An oral proceeding was held for this rule on: Date: October 7, 2013, Time: 2:30 p.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
		Date Proposed Rule Filed: Sept. 5, 2013
_____ Original filing	**Action proposed:**	**Action taken: Adopted Oct. 24, 2013**
_____ Renewal of effectiveness	_____ New rule(s)	_____ Adopted with no changes in text
To be in effect in _____ days	_____ Amendment to existing rule(s)	_X_ Adopted with changes
Effective date:	_____ Repeal of existing rule(s)	_____ Adopted by reference
_____ Immediately upon filing	_____ Adoption by reference	_____ Withdrawn
_____ Other (specify): _____	**Proposed final effective date:**	_____ Repeal adopted as proposed
	_____ 30 days after filing	**Effective date:**
	_____ Other (specify): _____	_X_ 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	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP	OFFICIAL FILING STAMP
		FILED OCT 25 2013 MISSISSIPPI SECRETARY OF STATE
Accepted for filing by	Accepted for filing by	Accepted for filing by #20109

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