

Mississippi Secretary of State
125 S. Congress 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 tlampton@mdeq.ms.gov	Submit Date 6-24-21	Name or number of rule(s): Title 11, Part 7, Chapter 4 "Mississippi Commission on Environmental Quality Dam Safety Grant Program Regulations"		

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: These new regulations implement a program to be administered by the Mississippi Department of Environmental Quality ("MDEQ"), whereby applicant high hazard dam owners may apply for a grant to assist them with work on eligible high hazard dams in the state to improve the safety of such dams, and the applicant must provide matching funds of at least 35 percent of the grant amount.

Specific legal authority authorizing the promulgation of rule: Miss. Code Ann. §§ 49-2-9(1), 51-3-25 (Rev. 2016), 51-3-39, Section 19 of H.B. 1730, passed and became law in Mississippi Regular Session of 2020, and 49-17-25 (Rev. 2012)

List all rules repealed, amended, or suspended by the proposed rule: This is a new regulation.

ORAL PROCEEDING:

☒ An oral proceeding was held for this rule on: Date: June 15, 2021 Time: 2:00 p.m. Place: MDEQ Commission Hearing Room, 1st Floor, 515 E. Amite Street, Jackson, MS 39201. Anyone who was unable to attend the proceeding in person could access by telephone call-in number 1 (888) 822-7517 with Access Code 7856957#.

☐ 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 was attached to filing of Proposed Rule form.

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: ☐ New rule(s) ☐ Amendment to existing rule(s) ☐ Repeal of existing rule(s) ☐ Adoption by reference Proposed final effective date: ☐ 30 days after filing ☐ Other (specify): _____	Date Proposed Rule Filed: <u>5-7-21</u> 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 & Title of person authorized to file rules: Theodore D. Lampton, III, Senior Attorney, MDEQ

Signature of person authorized to file rules: //s// Ted Lampton

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>25686 Bm</u>
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The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.