

## Mississippi Secretary of State

125 S. Congress Street, P.O. Box 136, Jackson, MS 39205-0136

## ADMINISTRATIVE PROCEDURES NOTICE FILING

|                                                                                                                   |                        |                                                                                                                                                                                                                    |                                  |              |
|-------------------------------------------------------------------------------------------------------------------|------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|--------------|
| AGENCY NAME<br>Mississippi Commission on Environmental Quality<br>Mississippi Department of Environmental Quality |                        | CONTACT PERSON<br>Ted Lampton                                                                                                                                                                                      | TELEPHONE NUMBER<br>601-961-5573 |              |
| ADDRESS<br>P.O. Box 2261                                                                                          |                        | CITY<br>Jackson                                                                                                                                                                                                    | STATE<br>MS                      | ZIP<br>39225 |
| EMAIL<br>tlampton@mdeq.ms.gov                                                                                     | Submit Date<br>11-1-23 | Name or number of rule(s):<br>11 Miss. Admin. Code Part 3, Chapter 2 ("Mississippi Commission on Environmental Quality Final Regulations Governing Brownfield Voluntary Cleanup and Redevelopment in Mississippi") |                                  |              |

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: The amendment adds Subchapter 3 regarding the establishment of a Brownfield Revolving Loan Fund (BRLF) program to issue loans and/or subgrants to eligible applicants for the cleanup of eligible brownfield sites, to require participation as a Brownfield Party, and to comply with federal requirements under the U.S. Environmental Protection Agency (USEPA). This action is a response to USEPA awarding MDEQ a Brownfield Revolving Loan Fund Grant and to meet requirements under the grant award's terms and conditions. The amendments are intended to require a BRLF applicant to receive approval for a Brownfield Agreement as a Brownfield Party by the Commission to be eligible to receive a loan or subgrant and to ensure that a recipient of a loan or subgrant complies with all terms and conditions as required by USEPA in use of these funds.

Specific legal authority authorizing the promulgation of rule: Mississippi Code Annotated §§ 17-17-27 & 49-2-9(1)(b) (Rev. 2012)

List all rules repealed, amended, or suspended by the proposed rule: Amends 11 Miss. Admin. Code Part 3, Chapter 2 ("Mississippi Commission on Environmental Quality Final Regulations Governing Brownfield Voluntary Cleanup and Redevelopment in Mississippi")

## ORAL PROCEEDING:

☒ An oral proceeding was held for this rule on: Date: September 15, 2023 Time: 1:30 p.m. Place: Mississippi Department of Environmental Quality, First Floor Hearing Room, 515 East Amite Street, Jackson, Mississippi 39201.

## 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

\_\_\_\_ Original filing  
\_\_\_\_ Renewal of effectiveness  
To be in effect in \_\_\_\_ days  
Effective date:  
\_\_\_\_ Immediately upon filing  
\_\_\_\_ Other (specify): \_\_\_\_

## PROPOSED ACTION ON RULES

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): \_\_\_\_

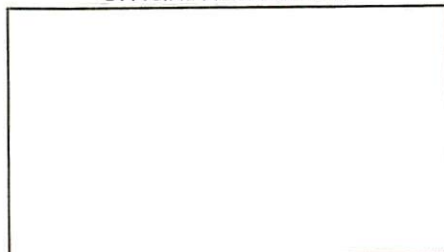
## FINAL ACTION ON RULES

Date Proposed Rule Filed: 8-18-23  
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): \_\_\_\_

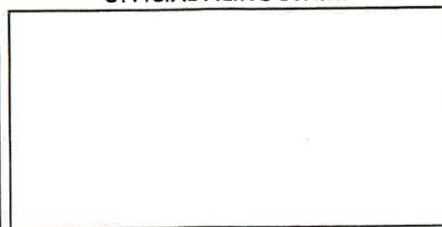
Printed name & Title of person authorized to file rules: Theodore D. Lampton, III, Senior Attorney, MDEQ

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

## OFFICIAL FILING STAMP



Accepted for filing by

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