

Mississippi Secretary of State

125 South Congress St., P. O. Box 136, Jackson, MS 39205-0136

ADMINISTRATIVE PROCEDURES NOTICE FILING

AGENCY NAME Mississippi Oil and Gas Board		CONTACT PERSON Jess New	TELEPHONE NUMBER 601-576-4920	
ADDRESS 500 Greymont Ave., Suite E		CITY Jackson	STATE MS	ZIP 39202
EMAIL jnew@ogb.state.ms.us	SUBMIT DATE 01/09/25	Name or number of rule(s): 26 Mississippi Administrative Code, Pt. II, Chapter 1, R. 1.45 (Waste by Pollution of Air, Surface Waters and Soils Prohibited)		

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: Amend Rule 1.45 to allow for pit fluids and mud containing 3000mg/1 or less of Chlorides to be spread onto the land surface after properly notifying the Board and the Board's field staff.

Specific legal authority authorizing the promulgation of rule: MCA Sec. 53-1-17(3) (1972)

List all rules repealed, amended, or suspended by the proposed rule: 26 Miss. Administrative Code, Pt. II, R. 1.45 (Waste by Pollution of Air, Surface Waters and Soils Prohibited)

ORAL PROCEEDING:

☒ An oral proceeding is scheduled for this rule on Date: 2/19/25 Time: 9:00 a.m. Place: Hearing Room,

Mississippi State Oil and Gas Board, 500 Greymont Ave., Suite E, Jackson, MS 39202

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

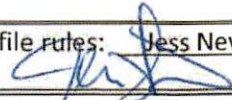
If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) or more persons. The written request should be submitted to the agency contact person at the above address within twenty (20)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

Signature of person authorized to file rules: 

OFFICIAL FILING STAMP	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP	OFFICIAL FILING STAMP
Accepted for filing by _____	 Accepted for filing by <u>27813 [Signature]</u>	Accepted for filing by _____

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



Michael Watson

SECRETARY OF STATE

CONCISE SUMMARY OF ECONOMIC IMPACT STATEMENT

An Economic Impact Statement is required for this proposed rule by Section 25-43-3.105 of the Administrative Procedures Act. This is a Concise Summary of the Economic Impact Statement which must be filed with the Secretary of State's Office.

AGENCY NAME Mississippi Oil and Gas Board	CONTACT PERSON Jess New		TELEPHONE NUMBER 601-576-4920
ADDRESS 500 Greymont Ave., Suite E	CITY Jackson	STATE MS	ZIP 39202
EMAIL jnew@ogb.state.ms.us	DESCRIPTIVE TITLE OF PROPOSED RULE Statewide Rule 1.45 (Waste by Pollution of Air, Surface Waters and Soils Prohibited)		
Specific Legal Authority Authorizing the promulgation of Rule: MCA Sec 53-1-17 (3) (1972)		Reference to Rules repealed, amended or suspended by the Proposed Rule: Statewide Rule 1.45 (Waste by Pollution of Air, Surface Waters and Soils Prohibited)	

A. Estimated Costs and Benefits

1. Briefly describe the need for the proposed rule:

Briefly summarize the benefits that may result from this regulation and who will benefit:

Currently, Rule 45 provides for a maximum Chloride level of 500 mg/l or less. Such an allowance represents an outdated industry standard and should be revised upward to reflect common oilfield industry practice.

2. Briefly describe the effect the proposed action will have on the public health, safety, and welfare:

An update to Rule 45 enables the Board to endeavor to prevent waste by pollution of air, fresh waters and soils from oil field exploration and production wastes using modern, industry-specific standards, while also ensuring the protection of human health and environmental safety and protection of the underground source of drinking water (USDW).

3. Estimated Cost of implementing proposed action:

- a. To the agency
☒ Nothing ☐ Minimal ☐ Moderate ☐ Substantial ☐ Excessive
- b. To other state or local government entities
☒ Nothing ☐ Minimal ☐ Moderate ☐ Substantial ☐ Excessive

4. Estimated Cost and/or economic benefit to all persons directly affected by the proposed rule:

- c. Cost:
☒ Nothing ☐ Minimal ☐ Moderate ☐ Substantial ☐ Excessive
- d. Economic Benefit:
☐ Nothing ☐ Minimal ☒ Moderate ☐ Substantial ☐ Excessive

5. Estimated impact on small businesses:

- ☒ Nothing ☐ Minimal ☐ Moderate ☐ Substantial ☐ Excessive

- a. Estimate of the number of small businesses subject to the proposed regulation: N/A
- b. Projected costs for small businesses to comply:
- c. Statement of probable effect on impacted small businesses:

6. The cost of adopting the rule compared to not adopting the rule or significantly amending the existing rule (check option):
☐ substantially less than ☐ moderately less than ☐ minimally less than
☒ the same as ☐ minimally more than ☐ moderately more than
☐ substantially more than ☐ excessively more than
7. The benefit of adopting the rule compared to not adopting the rule or significantly amending the existing rule (check option):
☐ substantially less than ☐ moderately less than ☐ minimally less than
☐ the same as ☐ minimally more than ☒ moderately more than
☐ substantially more than ☐ excessively more than

B. Reasonable Alternative Methods

1. Other than adopting this rule, are there less costly or less intrusive methods for achieving the purpose of the proposed rule?
☐ yes ☒ no
2. If yes, please briefly describe available, reasonable alternative(s) and the reasons for rejecting those alternatives in favor of the proposed rule. (Please see §25-43-4.104 for factors you must consider.)

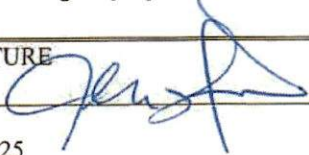
C. Data and Methodology

1. Please briefly describe the data and methodology you used in making the estimates required by this form. The Board bases the estimates required by this subsection upon the many decades of experience this agency has in regulating the oil and gas industry in the State of Mississippi. The Mississippi Oil and Gas Board has served as this state's oil and gas conservation agency since 1932. The approximately ninety (90) years of experience as a state oil and gas conservation agency convinces the Board that the public interests will be served by implementing the proposed revisions to Rule 45.

D. Public Notice

1. Where, when, and how may someone present their views on the proposed rule and request an oral proceeding on the proposed rule if one is not already scheduled? The MSOGB will conduct a public hearing in these rule-making proceedings commencing at 9:00 o'clock, A.M. on February 19, 2025, in the Hearing Room of the Mississippi Oil and Gas Board located at 500 Greymont Ave., Suite E, Jackson, MS. In addition written comments and/or formal docket contests may be filed with the agency up until 5:00 o'clock P.M. on Tuesday, February 11, 2025.

SIGNATURE



TITLE

Executive Director

DATE

01/09/2025

PROPOSED EFFECTIVE DATE OF
RULE

30 days after filing
