

BEFORE THE MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY

In the Matter of the Adoption of Amendments to Title 11 of the Mississippi Administrative Code, Part 2, Chapter 5, Entitled “Mississippi Commission on Environmental Quality, Regulations for the Prevention of Significant Deterioration of Air Quality.”

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ORDER NO. _____

ORDER

Came before the Mississippi Commission on Environmental Quality (“Commission”) on February 22, 2024, the recommendation of the Staff of the Mississippi Department of Environmental Quality (“MDEQ”) that the Commission adopt amendments to Title 11 of the Mississippi Administrative Code, Part 2, Chapter 5, entitled “Mississippi Commission on Environmental Quality, Regulations for the Prevention of Significant Deterioration of Air Quality”. The Commission finds as follows:


1. The public record file in this matter reflects that public notices were published providing a public notice and comment period as required by state law; and that Staff conducted a public hearing regarding the proposed regulations, in accordance with Miss. Code Ann. § 49-17-25 (Rev. 2012); and in accordance with the Mississippi Administrative Procedures Law, Miss. Code Ann. §§ 25-43-1.101, *et seq.* (Rev. 2018).
2. No written comments were received concerning the substance of the proposed amendments and no verbal comments were received at the Public Hearing.
3. The initial decision of the Commission in this matter is to adopt the “Mississippi Commission on Environmental Quality, Regulations for the Prevention of Significant Deterioration of Air Quality” as recommended by staff. A copy of the “Mississippi Commission on Environmental Quality, Regulations for the Prevention of Significant

Deterioration of Air Quality” is appended to this Order. This decision will become final unless, pursuant to Miss. Code Ann. § 49-17-41 (Rev. 2012), an interested party files a sworn petition with the Commission within 30 days from the date of this Order requesting an evidentiary hearing before the Commission or its hearing officer. If an evidentiary hearing is requested and held, the Commission shall finalize its decision in this matter by issuing a subsequent Order after full consideration of the matters raised during the evidentiary hearing.

4. If no petition for evidentiary hearing is filed, these amendments shall become effective 30 days after filing with the Secretary of State, as provided in Miss. Code Ann. § 25-43-3.113 (Rev. 2018). If a petition for evidentiary hearing is filed, the final adoption and effective date, if any, of the amendments shall be established by the final Order of the Commission in this matter, to be issued subsequent to the evidentiary hearing.

SO ORDERED, this the 23rd day of February, 2024

FOR: Mississippi Commission on Environmental Quality


BY: Chris Wells
Executive Director
Mississippi Department of Environmental Quality