

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

**ADMINISTRATIVE PROCEDURES NOTICE FILING**

AGENCY NAME Mississippi Department of Agriculture & Commerce		CONTACT PERSON Jennifer Thompson	TELEPHONE NUMBER (601)359-1144	
ADDRESS P.O. Box 1609		CITY Jackson	STATE MS	ZIP 39215 -1609
EMAIL jennifer@mdac.ms.gov	SUBMIT DATE 4/28/2020	Name or number of rule(s): "Title 2, Part 1 MDAC Rules, Subpart 4, Chapter 8, Section 108.01 of the Petroleum Products Inspection Law Regs "Standard Specifications"		

Due to the reduction in demand for motor fuels due to the COVID-19 emergency, The Department issues this temporary rule to provide a waiver for ASTM Reid Vapor Pressure Specifications related to gasoline and gasoline blended with one or more percent ethanol. The reasoning for this waiver is to avoid supply disruptions for Mississippi and other states affected by the COVID-19 emergency for the time period of May 1, 2020 through June 30, 2020. This should provide a greater supply of gasoline for sale in the state.

Specific legal authority authorizing the promulgation of rule: *Miss. Code Ann. 75-55-3.*

List all rules repealed, amended, or suspended by the proposed rule: Section 108.01.

**ORAL PROCEEDING:**

- An oral proceeding is scheduled for this rule on Date: \_\_\_\_\_ Time: \_\_\_\_\_ Place: \_\_\_\_\_
- Presently, an oral proceeding is not scheduled on this rule.

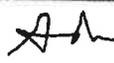
If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) or more persons. The written request should be submitted to the agency contact person at the above address within twenty (20)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

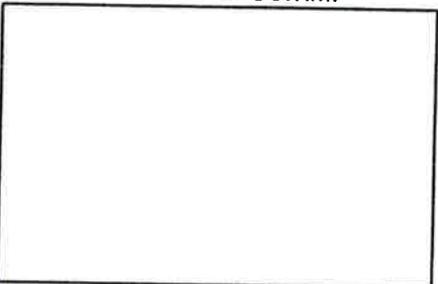
**ECONOMIC IMPACT STATEMENT:**

- 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
<input checked="" type="checkbox"/> Original filing <input type="checkbox"/> Renewal of effectiveness To be in effect in _____ days Effective date: <input type="checkbox"/> Immediately upon filing <input checked="" type="checkbox"/> Other (specify): <u>May 1, 2020</u>	<b>Action proposed:</b> <input type="checkbox"/> New rule(s) <input type="checkbox"/> Amendment to existing rule(s) <input type="checkbox"/> Repeal of existing rule(s) <input type="checkbox"/> Adoption by reference <b>Proposed final effective date:</b> <input type="checkbox"/> 30 days after filing <input type="checkbox"/> Other (specify): _____	<b>Date Proposed Rule Filed:</b> _____ <b>Action taken:</b> <input type="checkbox"/> Adopted with no changes in text <input type="checkbox"/> Adopted with changes <input type="checkbox"/> Adopted by reference <input type="checkbox"/> Withdrawn <input type="checkbox"/> Repeal adopted as proposed <b>Effective date:</b> <input type="checkbox"/> 30 days after filing <input type="checkbox"/> Other (specify): _____

Printed name and Title of person authorized to file rules: Andy Gipson, Commissioner and Ashli Brown, State Chemist

Signature of person authorized to file rules:  

OFFICIAL FILING STAMP  Accepted for filing by  #24859	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP  Accepted for filing by _____	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.

Standard Specifications

108.01 The Commissioner and State Chemist hereby adopt by reference, including subsequent amendments and editions, ASTM D4814, "Standard Specification for Automotive Spark-Ignition Engine Fuel" as standard specification for gasoline with the following modifications:

1. Applications for temporary exceptions to vapor pressure and vapor/liquid ratio specifications as provided in this Subparagraph may be made to the Commissioner and State Chemist. Said applications shall contain evidence that outlets marketing gasoline in Mississippi cannot be supplied from bulk terminals furnishing specified volatility level gasoline or that customary sources of supply have been temporarily interrupted by product shortage and alternate sources furnishing specified volatility level gasoline are not available. Such temporary exceptions granted shall apply only until the next meeting of the Commissioner and State Chemist at which time the Commissioner and State Chemist shall establish the duration of the exception;

2. Vapor pressure and vapor/liquid ratio seasonal specifications as listed in this Subparagraph may be extended for a maximum period of 15 days to allow for the disbursement of old stocks. However, new stocks of a higher volatility classification shall not be offered for retail sale prior to the effective date of the higher volatility classification.

3. For the time period of May 1, 2020 to May 20, 2020, fuel meeting ASTM D4814 volatility class D is allowed. Any fuel meeting these requirements stored in terminal storage tanks through May 20, 2020 for distribution to retail outlets and wholesale purchaser-consumers after May 20, 2020, may be distributed and sold until the supply is depleted. Retailers and wholesale purchaser-consumers may continue selling or dispensing gasoline that meets ASTM D4814 volatility Class D after May 20, 2020 until their supplies are depleted. This subparagraph shall repeal June 30, 2020.

(Amended February 12, 2001; June 4, 2008; Temporary Rule May 1, 2020.)

Source: *Miss. Code Ann.* §75-55-3.

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