

§ 49-17-28. Permit board; membership; compensation.

Mississippi Statutes

Title 49. CONSERVATION AND ECOLOGY

Chapter 17. POLLUTION OF WATERS, STREAMS, AND AIR

IN GENERAL

Current through 3/27/2018

§ 49-17-28. Permit board; membership; compensation

- (1) There is created a Permit Board for the purpose of issuing, reissuing, modifying, revoking or denying, under the conditions, limitations and exemptions prescribed in Section 49-17-29 :
 - (a) permits to control or prevent the discharge of contaminants and wastes into the air and waters of the state;
 - (b) permits required under the Solid Wastes Disposal Law of 1974 (Title 17, Chapter 17);
 - (c) permits required under Sections 51-3-1 through 51-3-55 ;
 - (d) water quality certifications required by Section 401 of the federal Clean Water Act; and
 - (e) all other permits within the jurisdiction of the Permit Board. The membership of the Permit Board shall be composed of the Chief of the Bureau of Environmental Health of the State Board of Health, or his designee; the Executive Director of the Department of Wildlife, Fisheries and Parks, or his designee; the Head of the Office of Land and Water Resources of the Department of Environmental Quality, or his designee; the Supervisor of the State Oil and Gas Board, or his designee; the Executive Director of the Department of Marine Resources, or his designee; the Head of the Office of Geology and Energy Resources of the Department of Environmental Quality, or his designee; the Commissioner of Agriculture and Commerce, or his designee; a retired professional engineer knowledgeable in the engineering of water wells and water supply systems, to be appointed by the Governor for a term concurrent with that of the Governor and until his successor is appointed and qualified; and a retired water well contractor, to be appointed by the Governor for a term concurrent with that of the Governor and until his successor is appointed and qualified. The retired professional engineer and the retired water well contractor shall only vote on matters pertaining to the Office of Land and

Water Resources.

- (2) Members of the Permit Board who are officers and employees of the state shall receive no compensation for their services on the board, but other board members shall receive per diem compensation as provided in Section 25-3-69. All board members shall be reimbursed for actual and necessary expenses, including mileage, incurred in the performance of their official duties as provided in Section 25-3-41.
- (3) In implementing the authority granted under this section for the Permit Board to act on water quality certifications required by Section 401 of the federal Clean Water Act, the Permit Board shall authorize the Executive Director of the Department of Environmental Quality to make decisions on issuance, reissuance, denial, modification and revocation of water quality certifications on projects which the department has received no written adverse comments. The Permit Board may authorize the executive director to make decisions on water quality certifications for other projects. A decision of the executive director made under this authority shall be a decision of the Permit Board and shall be subject to a formal hearing and an appeal as provided in Section 49-17-29.

Cite as Miss. Code § 49-17-28

Source: Laws, 1973, ch. 373, § 1; Laws, 1977, ch. 327, § 6; Laws, 1978, ch. 484, § 56; Laws, 1981, ch. 528, § 14; Laws, 1985, ch. 459, § 30; Laws, 1988, ch. 312, § 2; Laws, 1991, ch. 376, § 1; Laws, 1994, ch. 578, § 60; Laws, 1996, ch. 367, § 1; Laws, 1998, ch. 537, §1; Laws, 1999, ch. 573, §1, eff. 7/1/1999.