



***COMMONWEALTH of VIRGINIA***  
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November 15, 2007

The Honorable David K. Paylor, Director  
Virginia Department of Environmental Quality  
629 East Main Street  
Richmond, Virginia 23219

Re: Authority to Promulgate Hazardous Waste Regulations, 9 VAC 20-60  
Immediate Final Rule 2007

Dear Mr. Paylor:

I have reviewed the above-referenced regulation. It is my opinion that the Waste Management Board has authority to promulgate the regulation under applicable law, including Chapter 14 of Title 10.1 of the Code of Virginia. Based upon your agency's representations, it is also my view that the Board has authority to promulgate the regulation under Va. Code Ann. § 2.2-4006.A.4.c.

If I may be of any further assistance to you relating to this matter, please do not hesitate to contact me.

Sincerely,

Kerri L. Nicholas  
Assistant Attorney General  
Environmental Unit