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MEMORANDUM

TO: Debra Harris, Planning and Policy Specialist
Office of Regulatory Affairs
Virginia Department of Environmental Quality

FROM: J. Duncan Pitchford 
Assistant Attorney General
Counsel to the Virginia Department of Environmental Quality

DATE: June 24, 2016

RE: Letter of Assurance for Proposed Amendment 18 – Mercury-Containing Lamp
Crushing to 9 VAC § 20-60

I have reviewed the proposed amendments to 9 Virginia Administrative Code (“VAC”) § 20-60, regarding mercury-containing lamp crushing, which DEQ tendered to the Virginia Regulatory Town Hall on June 23, 2016. In my view, as counsel to the Department of Environmental Quality, these regulations may be promulgated pursuant to Title 10.1, Chapter 14 (§ 10.1-1402) of the Code of Virginia. The regulations do not appear to conflict with the Constitution of the United States or the Constitution of the Commonwealth of Virginia, nor do they appear to conflict with any federal or state law currently in effect.

This memorandum addresses legal matters only and is not intended to serve, nor should it be construed, as a comment for or against the merits of the proposed regulatory amendment.