COMMONWEALTH of VIRGINIA

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June 25, 2014

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

Re: Authority to Promulgate Amendments to the Voluntary Remediation Program Regulations (9 VAC 20-160)

Dear Director Paylor,

I have reviewed the above-referenced regulations. It is my opinion that the Waste Management Board has the authority to promulgate amendments to the regulations under applicable law including Chapter 12.1 of Title 10.1. It is also my view that these amendments are exempt from the requirements of Article 2 of the Administrative Process Act pursuant to Va. Code § 2.2-4006(A)(4).

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

Sincerely,

Kelci A. Block
Assistant Attorney General