



COMMONWEALTH of VIRGINIA

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MEMORANDUM

TO: Marissa J. Levine, M.D., M.P.H.
Commissioner, Virginia
Department of Health

FROM: Karri B. Atwood
Assistant Attorney General

DATE: August 19, 2014

RE: Amendments to the Waterworks Operation Fee Regulations, 12VAC5-600-10.

I have reviewed the above-referenced proposed revisions to the Waterworks Operations Fee Regulations, 12VAC5-600-10. The amendments are proposed to revise the definition of a waterworks to more closely match the corresponding federal definition of a public water system.

It is my view that the Board of Health, contingent on approval by the Governor, has legal authority to promulgate the subject revisions to the regulations pursuant to *Code of Virginia* § 32.1-12, § 32.1-167, § 32.1-169, § 32.1-170, and § 32.1-171.1. If I may be of any further assistance to you relating to this matter, please do not hesitate to contact me.