



COMMONWEALTH of VIRGINIA

Office of the Attorney General

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April 14, 2011

David Benner, Division Director
Division of Mineral Mining
Virginia Department of Mines, Minerals and Energy
900 Natural Resources Drive
Charlottesville, Virginia 22903

Re: Authority to Promulgate Regulations concerning the Certification Requirements
for Mineral Miners Regulations, 4 VAC 25-35

Dear Mr. Benner:

I have reviewed the above-referenced proposed regulations. It is my opinion that the Board of Mines, Minerals and Energy has authority to promulgate the regulations under applicable law, including Chapter 14.4:1 of Title 45.1 of the Code of Virginia.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Ryan J. Brown".

Ryan J. Brown
Assistant Attorney General