



COMMONWEALTH of VIRGINIA
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MEMORANDUM

FROM: John D. Gilbody
Senior Assistant Attorney General

TO: Michael Rolband, Director
Department of Environmental Quality

DATE: April 14, 2025

RE: Review of Proposed Changes to Regulations — 9 VAC 25-260

Please note that this memorandum does not constitute an opinion, formal or informal, of the Attorney General. Rather, this memorandum contains the legal analysis of the individual staff member providing it.

In response to a request from the Department of Environmental Quality, I have reviewed the above-referenced regulations of the Virginia State Water Control Board.

The State Water Control Board has the authority to amend and reissue 9 VAC 25-260 (“Water Quality Standards”) pursuant to § 62.1-44.15 of the Code of Virginia.

After reviewing the final regulation, it is my opinion that the State Water Control Board has the authority to so amend and reissue 9 VAC 25-260.