



**COMMONWEALTH of VIRGINIA**  
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November 26, 2007

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

Re: Authority to Promulgate Final Amendment 5 to the Virginia Solid Waste Management Regulations 9 VAC 20-80-10 *et seq.*

Dear Mr. Paylor:

I have reviewed the above-referenced regulation. It is my opinion that the Waste Management Board has authority to promulgate the regulation under applicable law, including Chapter 14 of Title 10.1 of the Code of Virginia and that the proposed amendment comports with applicable state law.

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

Sincerely,

Kerri L. Nicholas  
Assistant Attorney General