



**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 25-790

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*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 25-790 (“Approval of sewerage systems and sewage treatment works”) pursuant to §§ 62.1-44.15 and 64.1-44.19 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 25-790.