



COMMONWEALTH of VIRGINIA
Office of the Attorney General

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February 7, 2013

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

Re: Small Renewable Energy Projects (Combustion) Permit by Rule 9 VAC 15-70

Dear Director Paylor:

I have reviewed the proposed *Small Renewable Energy Project (Combustion) Permit by Rule, 9 VAC 15-70-10 through 9 VAC 15-70-140*. The Small Renewable Energy Project Regulations are being promulgated pursuant to Virginia Code § 10.1-1197.5 through 10.1-1197.11. It is my view that the Department of Environmental Quality has legal authority to promulgate these regulations pursuant to *Code of Virginia* § 10.1-1197.5 through 10.1-1197.11.

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 blue ink, appearing to read "Sarah J. Surber".

Sarah J. Surber
Assistant Attorney General

cc: Carol C. Wampler, Department of Environmental Quality