



COMMONWEALTH of VIRGINIA

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MEMORANDUM

To: Courtney M. Malveaux, Commissioner
Department of Labor and Industry

From: Joshua N. Lief
Senior Assistant Attorney General

Date: March 29, 2013

Subject: Letter of Assurance for Proposed Regulations - Amendments to the Standard for Boiler and Pressure Vessel Operator Certification: 16VAC25-40-10, Definitions; 16VAC25-40-20, Authority and Application; and 16VAC25-40-30, Certification

I have reviewed the Department of Labor and Industry's and Safety and Health Codes Board's proposed Regulations referred to above that are Amendments to the Standard for Boiler and Pressure Vessel Operator Certification that were posted on the Virginia Regulatory Town Hall on March 28, 2013. In my view, as counsel to the Department of Labor and Industry and the Safety and Health Codes Board, these regulations may be promulgated pursuant to Title 40.1 of the Code of Virginia. The regulations do not appear to conflict with the Constitution of the United States or the Constitution of the Commonwealth of Virginia, nor do they appear to conflict with any federal or state law currently in effect.

This memorandum addresses legal matters only and is not intended to serve, nor should it be construed, as a comment for or against the merits of the proposed regulations.