

MEMORANDUM

FROM: Paul Kugelman, Jr.
Senior Assistant Attorney General

DATE: September 2, 2018

RE: Periodic Review of Regulations - 4 Va. Admin. Code § 25-31 *et seq.*

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

The Virginia Department of Mines, Minerals, and Energy (“Department”) is submitting 4 Va. Admin. Code § 25-31 *et seq.* to public comment as part of its required periodic review but is not proposing any changes to these regulations at this time. Consequently, there is no action to review. Should the Department propose any changes to these regulations, it is my view that the Virginia Administrative Process Act, §§ 2.2-4000 to -4032, would apply.

The foregoing conclusion is my own. It does not constitute an opinion, formal or informal, of the Attorney General.