



COMMONWEALTH of VIRGINIA

Office of the Attorney General

Robert F. McDonnell
Attorney General

April 2, 2008

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

Re: Amending the Water Quality Management Planning Regulation, 9 VAC 25-720 –
incorporating 24 TMDL Waste Load Allocations in 3 river basins

Dear Dave:

I have reviewed the proposed amendments to the WQMP regulation described above. Based upon your agency's representation, the State Water Control Board has authority to promulgate the regulations as proposed. Based upon your agency's representations, it is also my view that under Va. Code § 2.2-4006.A.4.c, the regulations are excluded from Article 2 of the Virginia Administrative Process Act.

If I may be of any further assistance to you regarding this matter, please contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Alfred B. Albiston".

Alfred B. Albiston
Assistant Attorney General