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Exempt Action Final Regulation Agency Background Document

Agency name	Waste Management Board
Virginia Administrative Code (VAC) citation(s)	9VAC20-90
Regulation title(s)	Solid Waste Management Permit Action Fees and Annual Fees
Action title	Amendment to correct Code of Virginia citation
Final agency action date	
Date this document prepared	October 9, 2018

While a regulatory action may be exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the *Code of Virginia*, the agency is still encouraged to provide information to the public on the Regulatory Town Hall using this form. However, the agency may still be required to comply with the Virginia Register Act, Executive Order 14 (as amended, July 16, 2018), the Regulations for Filing and Publishing Agency Regulations (1 VAC7-10), and the *Virginia Register Form, Style, and Procedure Manual for Publication of Virginia Regulations*.

Brief Summary

Please provide a brief summary (preferably no more than 2 or 3 paragraphs) of this regulatory change (i.e., new regulation, amendments to an existing regulation, or repeal of an existing regulation). Alert the reader to all substantive matters. If applicable, generally describe the existing regulation.

The amendment corrects a Code of Virginia citation in section 40 of the regulation. This regulation establishes schedules and procedures pertaining to the payment and collection of fees from any applicant seeking a new permit or seeking a modification to an existing permit for construction and operation of a solid or regulated medical waste facility. This regulation also establishes annual fees to be assessed on nonhazardous solid waste facilities.

This amendment corrects the reference to the Virginia Waste Management Act found in 9VAC20-90-40. The correct citation of the Virginia Waste Management Act is §§ 10.1-1400 through 10.1-1458 of the Code of Virginia.

Statement of Final Agency Action

Please provide a statement of the final action taken by the agency including: 1) the date the action was taken; 2) the name of the agency taking the action; and 3) the title of the regulation.

On December 17, 2018, the Waste Management Board took final action to adopt an amendment to the regulation entitled Solid Waste Management Permit Action Fees and Annual Fees (9VAC20-90) and affirmed that the Board will receive, consider and respond to requests by any interested person at any time with respect to reconsideration or revision. The regulatory action will be filed as soon as possible, consistent with the Administrative Process Act.

The regulation amendment is exempt from the state administrative procedures for adoption of regulations by the provisions of §2.2-4006 A 3 of the Administrative Process Act because the change corrects a technical error.