



**COMMONWEALTH of VIRGINIA**  
**Office of the Attorney General**

Mark R. Herring  
Attorney General

202 North Ninth Street  
Richmond, Virginia 23219  
804-786-2071  
FAX 804-786-1991  
Virginia Relay Services  
800-828-1120  
7-1-1

November 29, 2021

The Honorable David K. Paylor, Director  
Virginia Department of Environmental Quality  
1111 East Main Street  
Richmond, Virginia 23219

Re: Periodic Review of the Aboveground Storage Tank and Pipeline Facility Financial  
Responsibility Requirements (9 VAC 25-640 *et seq.*)

Dear Director Paylor:

I have reviewed the above-referenced regulations. It is my opinion that the State Water Control Board has the statutory authority for the regulation pursuant to Chapter 3.1 of Title 62.1 of the Code of Virginia.

This certification 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 regulation.

If I may be of any further assistance to you relating to this matter, please do not hesitate to contact me.

Sincerely,

*David Grandis*

David C. Grandis  
Senior Assistant Attorney General