



**COMMONWEALTH of VIRGINIA**  
**Office of the Attorney General**  
**Richmond 23219**

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Attorney General

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September 12, 2011

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

Re: Authority to Repeal Transportation Conformity, G11, 9 VAC 5-150 *et seq.*

Dear Director Paylor:

I have reviewed the above-referenced regulatory action. It is my opinion that the State Air Pollution Control Board has authority to repeal the regulation under applicable law, including Chapter 13 of Title 10.1 of the Code of Virginia and that the repeal of the regulation comports with applicable state law.

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

Sincerely,

A handwritten signature in black ink that reads "Kerri L. Nicholas".

Kerri L. Nicholas  
Assistant Attorney General