



COMMONWEALTH *of* VIRGINIA

Office of the Attorney General

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November 18, 2005

The Honorable Robert G. Burnley, Director
Virginia Department of Environmental Quality
629 East Main Street
Richmond, Virginia 23219

Re: Amendments to Water Quality Standards:
Point Source Nutrient Control Regulations for Dischargers in the Chesapeake Bay
Watershed - (§§ 9 VAC 25-720-60 James River Basin, and 9 VAC 25-720-120 York
River Basin)

Dear Director Burnley:

I have reviewed the above-referenced amendments to two sections of the Water Quality Management Planning Regulation (§ 9 VAC 25-720). Based upon your agency's representations, it is my opinion that the State Water Control Board has authority to promulgate the regulations under applicable law, including Chapter 3.1 of Title 62.1 of the Code of Virginia.

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

Sincerely,

Alfred B. Albiston
Assistant Attorney General
Environmental Unit

cc: Cindy Berndt