



COMMONWEALTH of VIRGINIA
Office of the Attorney General

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October 9, 2015

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

Re: Authority to Promulgate Amendments to the Fees for Permits and Certificates Regulation (9 VAC 25-20 *et seq.*); the Virginia Pollutant Discharge Elimination System (VPDES) Permit Regulation (9 VAC 25-31 *et seq.*); and the Virginia Pollution Abatement (VPA) Permit Regulation (9 VAC 25-32 *et seq.*)

Dear Director Paylor:

I have reviewed the amendments to the above-referenced regulations. It is my opinion that the State Water Control Board has authority to promulgate the amendments to the regulations under applicable law including Chapter 3.1 of Title 62.1 of the Code of Virginia. It is also my view that these amendments are exempt from the requirements of the Administrative Process Act pursuant to 2015 Acts of Assembly Chapters 104 and 677.

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 cursive script that reads "David C. Grandis".

David C. Grandis
Assistant Attorney General