



COMMONWEALTH of VIRGINIA

Office of the Attorney General

Kenneth T. Cuccinelli, II
Attorney General

900 East Main Street
Richmond, Virginia 23219
804-786-2071
FAX 804-786-1991
Virginia Relay Services
800-828-1120
7-1-1

May 16, 2013

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

Re: Authority to Promulgate Amendment to Administrative Procedures for Hazardous Waste
Facility Site Certification Regulations (9 VAC 20-40)

Dear Director Paylor:

I have reviewed the amendments to the above-referenced regulations. It is my opinion that the Virginia Waste Management Board has authority to promulgate the amendments to the regulations under applicable law including Chapter 14 of Title 10.1 of the Code of Virginia. It is also my view that these amendments are exempt from the requirements of Article 2 of the Administrative Process Act pursuant to Va. Code. § 2.2-4006(A)(4)(a).

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