



COMMONWEALTH of VIRGINIA

Office of the Attorney General

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May 11, 2016

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 Administrative Procedures for Hazardous Waste Facility Certification Regulations (9 VAC 20-40)

Dear Director Paylor,

I have reviewed the above-referenced regulations. It is my opinion that the Waste Management Board has the authority to promulgate amendments to the regulations under applicable law including Chapter 14 of Title 10.1. 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)(3).

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 blue ink that reads "Kelci Block".

Kelci A. Block
Assistant Attorney General