



# **COMMONWEALTH of VIRGINIA**

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## **MEMORANDUM**

**To:** Trisha Lindsey  
Executive Director  
Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals

**From:** Joshua E. Laws  
Assistant Attorney General

**Date:** September 23, 2021

**Subject:** Letter of Assurance for Amended Regulations – Amendments to Virginia Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals Licensing Regulations found at 18 VAC 160-30 and 18 VAC 160-40

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I have reviewed the Department of Professional and Occupational Regulation's Proposed Amendments to Virginia Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals Licensing Regulations found at 18 VAC 160-30 and 18 VAC 160-40 that were posted on the Virginia Regulatory Town Hall on September 21, 2021. In my view, as counsel to the Department of Professional and Occupational Regulation, these regulations may be promulgated pursuant to Title 54.1 of the Code of Virginia. Further, I certify that the proposed changes are exempt from the Administrative Process Act under Code of Virginia §§ 2.2-4006(A)(4)(a) as the changes are necessary to conform to changes in Virginia statutory law and no agency discretion is involved.

This memorandum addresses legal matters only and is not intended to serve, nor should it be construed, as a comment for or against the merits of the proposed regulations.