



**COMMONWEALTH of VIRGINIA**  
*Office of the Attorney General*

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June 26, 2013

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

Re: Authority to Promulgate Amendments for Regulations for the Control and Abatement of  
Air Pollution—Definition of Volatile Organic Compound (9 VAC 5-10)

Dear Director Paylor:

I have reviewed the amendments to the above-referenced regulation. It is my opinion that the State Air Pollution Control Board has authority to promulgate this regulation under applicable law, including Chapter 13 of Title 10.1 of the Code of Virginia and that the proposed amendment comports with applicable state law. Further, it is my opinion that the promulgation of this regulation comports with the fast-track rulemaking process under the Virginia Administrative Process Act, Va. Code §§ 2.2-4000, *et seq.*, pursuant to Va. Code § 2.2-4012.1.

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, appearing to read "Sarah J. Surber".

Sarah J. Surber  
Assistant Attorney General