



**COMMONWEALTH of VIRGINIA**  
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**Richmond 23219**

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June 17, 2010

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

Re: Authority to Promulgate Final Amendment A10w to the Virginia Solid Waste  
Management Regulations 9 VAC 20-90 *et seq.*

Dear Director Paylor:

I have reviewed the above-referenced regulatory amendment. It is my opinion that the Waste Management Board has authority to promulgate the regulation under applicable law, including Chapter 14 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 regulations meet the exemption set forth in Va. Code § 2.2-4006(A)(4)(a) as necessary to conform with changes in the appropriation act.

If I may be of any further assistance to you relating to this matter, please do not hesitate to contact me.

Sincerely,

Kerri L. Nicholas  
Assistant Attorney General