



# COMMONWEALTH of VIRGINIA

Office of the Attorney General

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November 30, 2010

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

Re: Authority to Promulgate Regulations Governing the Transportation of Hazardous  
Materials, 9 VAC 20-110 (Immediate Final Rule 2010)

Dear Mr. Paylor:

I have reviewed the above-referenced regulations. It is my opinion that the Waste Management Board has authority to promulgate the regulations under applicable law, including Chapter 14 of Title 10.1 of the Code of Virginia. Based upon your agency's representations, it is also my view that the Board has authority to promulgate the regulations under Va. Code Ann. § 2.2-4006.A.4.c.

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 black ink, appearing to read "RJB", written over a horizontal line.

Ryan J. Brown  
Assistant Attorney General