



COMMONWEALTH of VIRGINIA

Office of the Attorney General

Kenneth T. Cuccinelli, II
Attorney General

900 East Main Street
Richmond, Virginia 23219
804-786-2071
FAX 804-786-1991
Virginia Relay Services
800-828-1120
7-1-1

June 18, 2012

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

Re: Authority to Promulgate Amendments to Regulations Governing Recycling Data
Reporting (9 VAC 20-130-165)

Dear Director Paylor:

I have reviewed the amendments to the above-referenced regulation. It is my opinion that the Virginia Waste Management Board has authority to promulgate the amendments to the regulation under applicable law including Chapter 14 of Title 10.1 of the Code of Virginia. 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)(4)(a). This final exempt regulatory action is being taken to implement Chapter 834 of the 2012 Acts of Assembly.

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 cursive script that reads "David C. Grandis".

David C. Grandis
Assistant Attorney General