



COMMONWEALTH of VIRGINIA
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October 3, 2008

Douglas R. Harris
Virginia Department of Health
109 Governor Street
Richmond, Virginia 23219

Re: Public Participation Guidelines
12 VAC 5-10-10

Dear Mr. Harris:

I have reviewed the Public Participation Guidelines in 12 VAC 5-10-10 *et seq.* The amended regulations are constitutional and in conformity with the existing statutory provisions of the Code of Virginia.

The Board of Health has the authority to amend these regulations under Va. Code §§ 32.1-12. The regulations are consistent with the Board's mandate. Having satisfied all legal requirements, you may proceed to take the necessary steps to promulgate these regulatory amendments in accordance with the requirements of the Administrative Process Act.

Very truly yours,

Robin V. Kurz
Special Counsel