



**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

**MEMORANDUM**

TO: Conrad Spangler, Director  
Department of Mines, Minerals and Energy ("Department")

FROM: Sharon M.B. Pigeon  
Senior Assistant Attorney General

DATE: July 27, 2011

RE: DMME Proposed Fast-Track Regulations 4 VAC 25-145

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I have reviewed the referenced draft, as attached, and as proposed by the Department and their Division of Mined Land Reclamation (collectively "the agency"). These provisions are technical changes as the result of periodic review and are proposed for clarification. The agency has the authority to promulgate these proposed regulations pursuant to Va. Code §§ 45.1-161.3, 45.1-261.1 and 2.2-4012.1.

Based on that review, it is my view that the proposal is consistent with state law, does not conflict with federal law and is constitutional.

If you require anything more, please advise.

c.c. Michael Skiffington