



COMMONWEALTH of VIRGINIA

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MEMORANDUM

To: Cynthia C. Romero, MD, FAAFP
Commissioner, Department of Health

From: Karri B. Atwood
Assistant Attorney General

Date: September 6, 2013

Subject: Letter of Assurance for Period Review of Regulations – Prohibiting the Taking of Fish for Human Consumption From the North Fork of the Holston [12 VAC 5 – 170]

Pursuant to the Code of Virginia and Executive Order 14 (2010), an agency must conduct a periodic review of their regulations every four years. This review includes an examination by the Office of the Attorney General to ensure statutory authority for the regulation. The Department has recommended that the above referenced regulation be terminated and replaced by a health advisory. In my view, as counsel to the Department of Health, the Board has the authority to repeal these regulations.

This memorandum addresses legal matters only and is not intended to serve, nor should it be construed, as a comment for or against the merits of the proposed regulations.