



COMMONWEALTH of VIRGINIA
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MEMORANDUM

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

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

DATE: October 30, 2013

RE: DMME Regulations 4 VAC 25-125

I have reviewed the referenced regulations, as attached, and as are currently under review by the Director of DMME, the Department, and their Division of Mining (collectively "the agency"). This revisions are proposed as a result of periodic review to keep the regulations current, accurate and clear.

The agency has the authority to repeal, amend or retain in its current form these proposed regulatory revisions pursuant to Va. Code § 45.1-161.3.

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