



COMMONWEALTH of VIRGINIA
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MEMORANDUM

TO: David K. Paylor, Director
Virginia Department of Environmental Quality

FROM: Matthew L. Gooch
Assistant Attorney General

DATE: December 13, 2013

RE: Periodic review of 9VAC15-20, Guidelines for the Preparation of Environmental Impact Assessment for Oil or Gas Well Drilling Operations in Tidewater Virginia.

Pursuant to Executive Order 14 (2010), I have reviewed the above-referenced regulations of the Department of Environmental Quality. It is my opinion that the Department has statutory authority for the regulations and that the regulations do not exceed the authority to regulate granted as set out in the enabling legislation, that authority including section 62.1-195.1 of Chapter 20 of Title 62.1 of the Code of Virginia. The regulations do not appear to conflict with the Constitution of the United States or the Constitution of the Commonwealth of Virginia, nor to conflict with any federal or state law currently in effect.

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 regulation.

If I may be of any further assistance to you relating to this matter, please do not hesitate to contact me.