



COMMONWEALTH of VIRGINIA

Office of the Attorney General

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March 5, 2007

Roger L. Burkhart, Chair
Safety and Health Codes Board
c/o C. Ray Davenport, Commissioner
Virginia Department of Labor & Industry
13 South Thirteenth Street
Richmond, Virginia 23219

Re: Authority to Amend General Industry Standard for Telecommunications,
Approach Distances, § 1910.268(b)(7)(i); Final Rule

Dear Mr. Burkhart:

I have reviewed the above-referenced regulatory amendment standardizing minimum approach distances for energized electrical conductors. It is my opinion that the Safety and Health Codes Board has authority to promulgate such amendments under applicable law, including Chapter 3 of Title 40.1 of the *Code of Virginia*.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Alfred B. Albiston".

Alfred B. Albiston
Assistant Attorney General

c: C. Ray Davenport, Commissioner
Reba O'Connor