



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: April 8, 2014

RE: Final regulation for open burning, 9VAC 5-130

I have reviewed the amendments to above-referenced regulations. It is my opinion that the Air Pollution Control Board has the authority to promulgate these regulations as amended under applicable law, including Chapter 13 of Title 10.1 of the Code of Virginia, and specifically, Code § 10.1-1308, and that the amendments comport with state law.

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