



COMMONWEALTH of VIRGINIA

Office of the Attorney General

Mark R. Herring
Attorney General

202 North Ninth Street
Richmond, Virginia 23219
804-786-2071
Fax 804-786-1991
Virginia Relay Services
800-828-1120
7-1-1

December 17, 2020

The Honorable David K. Paylor, Director
Virginia Department of Environmental Quality
1111 East Main Street
Richmond, Virginia 23219

Re: Authority to Promulgate Amendments to the Virginia Pollutant Discharge Elimination System (VPDES) General Permit for Domestic Sewage Discharges of Less Than or Equal to 1,000 Gallons Per Day (9 VAC 25-110 *et seq.*)

Dear Director Paylor:

I have reviewed the amendments to the above-referenced regulation. It is my opinion that the State Water Control Board has authority to promulgate the amendments to the regulation under applicable law including Chapter 3.1 of Title 62.1 of the Code of Virginia. It is also my view that these amendments are exempt from the requirements of Article 2 of the Administrative Process Act pursuant to Va. Code § 2.2-4006(A)(8).

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 blue ink that reads "David C. Grandis".

David C. Grandis
Senior Assistant Attorney General