



**COMMONWEALTH of VIRGINIA**  
*Office of the Attorney General*

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October 19, 2011

Karen Remley, M.D., M.B.A.  
State Health Commissioner  
Department of Health  
109 Governor Street  
Richmond, Virginia 23219

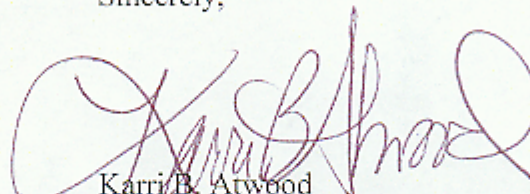
**Proposed Amendments to the Alternative Discharging Sewage Treatment Regulations**

Dear Dr. Remley:

I have reviewed the proposed amendments to the regulations for *Alternative Discharging Sewage Treatment*, 12 VAC 5-640-5 *et seq.* The amendments are proposed to simplify the application process while incorporating new technology and achieving compliance with provisions of the Administrative Process Act.

It is my view that the Board of Health, contingent on approval by the Governor, has legal authority to promulgate the subject regulations pursuant to *Code of Virginia* § 32.1-12 and § 32.1-163 and § 32.1-164. If I may be of any further assistance to you relating to this matter, please do not hesitate to contact me.

Sincerely,



Karri B. Atwood  
Assistant Attorney General

cc: Robert Hicks, Director, Office of Environmental Health Services  
Allen Knapp, Director, Division of Onsite Sewage and Water Services