



# **COMMONWEALTH of VIRGINIA**

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## **MEMORANDUM**

**TO:** Marissa J. Levine, M.D., M.P.H.  
Commissioner, Virginia  
Department of Health

**FROM:** Karri B. Atwood  
Assistant Attorney General

**DATE:** September 5, 2014

**RE:** Amendments to the Regulations Governing Application Fees for Construction Permits for Onsite Sewage Disposal Systems and Private Wells, 12VAC5-620.

I have reviewed the above-referenced proposed revisions to the Regulations, 12VAC5-620-10, et seq. The amendments are proposed to incorporate the current schedule of fees established by policy, and in response to the Appropriations Act, for private well and sewage applications.

It is my view that the Board of Health, contingent on approval by the Governor, has legal authority to promulgate the subject revisions to the regulations pursuant to *Code of Virginia* § 32.1-12, § 32.1-164, §32.1-164 and § 32.1-176.

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