



***COMMONWEALTH of VIRGINIA***  
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*Richmond 23219*

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September 15, 2005

Louis J. Cernak, 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 the General Industry Standard for Telecommunications, General, Approach Distances  
§ 1910.268(b)(7)(i), Proposed

Dear Mr. Cernak:

I have reviewed the above-referenced regulation. 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,

Cathie F. Hutchins  
Assistant Attorney General  
Environmental Unit