



COMMONWEALTH of VIRGINIA
Office of the Attorney General

Jason S. Miyares
Attorney General

202 N. 9th Street
Richmond, Virginia 23219
(804) 786-2071
Fax (804) 786-1991
Virginia Relay Services
800-828-1120
7-1-1

MEMORANDUM

TO: Mike Rolband, Director
Department of Environmental Quality

FROM: Ross Phillips
Assistant Attorney General/Chief

DATE: July 15, 2024

RE: Review of Proposed Regulations — 9 VAC 25-260

Please note that this memorandum does not constitute an opinion, formal or informal, of the Attorney General. Rather, this memorandum contains the legal analysis of the individual staff member providing it.

In response to a request from the Department of Environmental Quality, I reviewed the above-referenced Regulations, which constituted Tab J of the State Water Control Board's June 25, 2024 meeting agenda.

The Department has the authority to issue the proposed amendment to 9 VAC 25-260 ("Water Quality Standards") pursuant to § 62.1-44.15(3a) of the Code of Virginia. After reviewing the proposed regulation, my opinion is that the State Water Control Board has the authority to so amend 9 VAC 25-260.