



COMMONWEALTH of VIRGINIA
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January 9, 2007

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

Re: Authority to Promulgate Regulations Governing the Transportation of Hazardous Materials
9 VAC 20-110
Immediate Final Rule 2006

Dear Mr. Paylor:

I have reviewed the above-referenced regulation. It is my opinion that the Waste Management Board has authority to promulgate the regulation under applicable law, including Chapter 14 of Title 10.1 of the Code of Virginia and that the regulation comports with applicable state law. Based upon your agency's representations, it is also my view that the Board has authority to promulgate the regulation under Va. Code Ann. § 2.2-4006.A.4.c.

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