



COMMONWEALTH of VIRGINIA

Office of the Attorney General

Mark R. Herring
Attorney General

900 East Main Street
Richmond, Virginia 23219
804-786-2071
FAX 804-786-1991
Virginia Relay Services
800-828-1120
7-1-1

April 13, 2016

Marissa Levine, M.D., M.P.H.
State Health Commissioner
Department of Health
109 Governor Street
Richmond, Virginia 23219

Dear Dr. Levine:

Re: Authority to Adopt Amendments to the Sewage Handling and Disposal
Regulations (12 VAC 5-610-10, *et seq.*)

I have reviewed the proposed amendments to the *Sewage Handling and Disposal Regulations*, 12 VAC 5-610-10, *et seq.* The regulations are proposed in order to make permanent, with some minor revisions, the emergency regulations that were adopted in response to Code of Virginia § 32.1-164.9, and which recently expired.

It is my opinion that the State Board of Health has authority to adopt these regulations under applicable law, including Code of Virginia §§ 32.1-164 and 32.1-164.9.

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

Sincerely,

A handwritten signature in blue ink that reads "Grant E. Kronenberg".

Grant E. Kronenberg
Assistant Attorney General