



COMMONWEALTH of VIRGINIA
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MEMORANDUM

TO: Leslie D. Beckwith
Office of Land Protection and Revitalization, Financial Assurance
Virginia Department of Environmental Quality

FROM: J. Duncan Pitchford 
Assistant Attorney General
Counsel to the Virginia Department of Environmental Quality

DATE: June 24, 2016

RE: Letter of Assurance for proposed amendments to Waste Tire End User
Reimbursement Regulations - 9 VAC § 20-150

I have reviewed the proposed amendments to 9 Virginia Administrative Code (“VAC”) § 20-150, regarding waste tire end user reimbursements, which DEQ tendered to the Virginia Regulatory Town Hall on June 23, 2016. In my view, as counsel to the Department of Environmental Quality, these regulations may be promulgated pursuant to Title 10.1, Chapter 14 (§ 10.1-1422.4) of the Code of Virginia. The regulations do not appear to conflict with the Constitution of the United States or the Constitution of the Commonwealth of Virginia, nor do they appear to conflict with any federal or state law currently in effect. Further, I certify that all of the proposed changes are exempt from the Administrative Process Act under Section 2.2-4002(B)(4) of the Code of Virginia, as the regulations pertain to the grant of state funds or property.

This memorandum addresses legal matters only and is not intended to serve, nor should it be construed, as a comment for or against the merits of the proposed regulatory amendment.