



**COMMONWEALTH of VIRGINIA**  
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**MEMORANDUM**

**TO:** David K. Paylor, Director  
Virginia Department of Environmental Quality

**FROM:** Matthew L. Gooch  
Assistant Attorney General

**DATE:** October 2, 2018

**RE:** Periodic review of Biomass Energy Generator General Permit for a  
Pilot Test Facility, 9VAC5-520

Pursuant to Va. Code § 2.2-4017 and Executive Order 14 (2018), I have reviewed the above-referenced regulations of the State Air Pollution Control Board. It is my opinion that the Board has statutory authority for the regulations, including sections 10.1-1308 and 10.1-1308.1 of Chapter 13 of Title 10.1 of the Code of Virginia, and has not exceeded that authority.

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