



COMMONWEALTH of VIRGINIA

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April 2, 2009

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

Re: Proposed Amendments to Regulations Concerning Minor NSR (Article 6 of 9
VAC 5 Chapter 80, Rev. H05)

Dear Director Paylor:

I have reviewed the above-referenced proposed amendments, as authorized for public comment by the State Air Pollution Control Board on December 15, 2008.

It is my view that the Board possesses statutory authority to promulgate the above-referenced proposed regulation amendments.

Sincerely,

Carl Josephson
Senior Assistant Attorney General