



COMMONWEALTH of VIRGINIA

Office of the Attorney General

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January 21, 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 Major New Source Review
(9 VAC 5 Chapter 80, Rev. C08)

Dear Director Paylor:

I have reviewed the above-referenced proposed amendments, as adopted pursuant to the Fast-track rulemaking process of Code § 2.2-4012.1, 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 amendments.

Sincerely,

Carl Josephson
Senior Assistant Attorney General