



COMMONWEALTH of VIRGINIA
Office of the Attorney General

Mark R. Herring
Attorney General

202 N. Ninth Street
Richmond, Virginia 23219
804-786-2071
FAX 804-786-1991
Virginia Relay Services
800-828-1120
7-1-1

MEMORANDUM

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

FROM: Matthew L. Gooch
Assistant Attorney General

DATE: April 22, 2019

RE: Final Regulations for Emissions Trading, Part VII, 9VAC5-140

Pursuant to Va. Code § 2.2-4013 and Executive Order 14 (2018), I have reviewed the above-referenced regulations of the Air Pollution Control Board. It is my opinion that the Board has statutory authority for the regulations, including sections 10.1-1307 and 10.1-1308 of Chapter 13 of Title 10.1 of the Code of Virginia, and has not exceeded its rulemaking authority.

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