



COMMONWEALTH *of* VIRGINIA

Office of the Attorney General

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September 19, 2005

The Honorable Robert G. Burnley, Director
Virginia Department of Environmental Quality
629 East Main Street
Richmond, Virginia 23219

Re: Authority to Amend Sections of the Water Quality Management Planning
Regulation, 9 VAC 25-720:
9 VAC 25-720-50.B for the Potomac – Shenandoah River Basin; and
9 VAC 25-720-80.B for the Roanoke River Basin

Dear Director Burnley:

I have reviewed the above-referenced regulation. Based upon your agency's representations, it is my opinion that the State Water Control Board has authority to amend the regulation based upon applicable law, including Chapter 3.1 of Title 62.1 of the Code of Virginia.

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

Sincerely,

Alfred B. Albiston
Assistant Attorney General
Environmental Unit

cc: Cindy Berndt