



# COMMONWEALTH *of* VIRGINIA

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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 Standards Regulation relating to  
Lakes and Reservoirs, 9 VAC 25-260

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 proceed to notice of public comment and hearing regarding the proposed amendments to the above 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