



COMMONWEALTH of VIRGINIA

Office of the Attorney General

Robert F. McDonnell
Attorney General

900 East Main Street
Richmond, Virginia 23219
804-786-2071
FAX 804-786-1991
Virginia Relay Services
800-828-1120
7-1-1

April 2, 2008

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

Re: Authority to Adopt General Virginia Pollutant Discharge Elimination System (VPDES) Permit for Concrete Product Facilities, Final Regulation; 9 VAC 25-193-10 et seq.;

Dear Dave:

I have reviewed the above-referenced final regulation regarding amending and reissuing the General VPDES Permit for Concrete Product Facilities. Based upon your agency's representations, the State Water Control Board has authority to adopt these amendments as a final regulation under applicable law. Based upon your agency's representations, it is also my view that the regulation is excluded as a General Permit under *Va. Code* § 2.2-4006.A.9(b), from Article 2 of the Virginia Administrative Process Act.

If I may be of any further assistance to you regarding this matter, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Alfred B. Albiston".

Alfred B. Albiston
Assistant Attorney General