



COMMONWEALTH of VIRGINIA

Office of the Attorney General

Kenneth T. Cuccinelli, II
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

September 21, 2011

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

Re: Authority to Promulgate Final Amendments to the Regulations Pertaining to Biosolids: the Virginia Pollution Abatement (VPA) Permit Regulation (9 VAC 25-32-10 et seq.), the Virginia Pollution Discharge Elimination System (VPDES) Permit Regulation (9 VAC 25-31-10 et seq.), and the Fees for Permits and Certificate (Fee) Regulation (9 VAC 25-20-10 et seq.)

Dear Director Paylor:

I have reviewed the amendments to the above-referenced regulations. It is my opinion that the State Water Control Board has authority to promulgate the amendments to the regulations under 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,

A handwritten signature in cursive script that reads "David C. Grandis".

David C. Grandis
Assistant Attorney General