



**COMMONWEALTH of VIRGINIA**  
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April 8, 2014

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

Re: Authority to Promulgate Amendments to the Virginia Pollution Abatement Regulation (9 VAC 25-32) and the Virginia Pollution Abatement General Permit Regulation for Animal Feeding Operations (9 VAC 25-192)

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 and Chapter 25 of Title 62.1 of the Code of Virginia. It is also my view that amendments to the Virginia Pollution Abatement General Permit Regulation for Animal Feeding Operations (9 VAC 25-192) are exempt from the requirements of Article 2 of the Administrative Process Act pursuant to Va. Code. § 2.2-4006(A)(8).

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 black ink that reads "David C. Grandis".

David C. Grandis  
Assistant Attorney General