



COMMONWEALTH of VIRGINIA
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MEMORANDUM

TO: David Paylor, Director
Virginia Department of Environmental Quality

FROM: Matthew L. Gooch
Assistant Attorney General

DATE: October 21, 2014

RE: Fast-track amendments to 9VAC15-40, Small Renewal Energy
(Wind) Permit by Rule (PBR)

I have reviewed the above-referenced amendments to the regulations of the Department of Environmental Quality. It is my opinion that the Department has the authority to adopt these amendments to the regulations based upon applicable law, including Article 5 of Chapter 11.1 of Title 10.1 of the Code of Virginia, and specifically, Code § 10.1-1197.6.

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