



**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 16, 2017

**RE:** Corrective amendments to regulations for the Certification of Recycling Machinery and Equipment for Local Tax Exemption Purposes, 9 VAC 15-30.

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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 statutory authority for the regulations, including Va. Code § 58.1-439.7 and § 58.1-3661, and that the regulations do not exceed the agency's rulemaking authority. It is further my opinion that this action is exempt from Article 2 of the Administrative Process Act pursuant to Va. Code § 2.2-4006(A)(3) as consisting only of changes in style or form or corrections of technical errors.

Please let me know if I may be of further assistance in this matter.