



# COMMONWEALTH of VIRGINIA

Office of the Attorney General

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July 5, 2007

Robert B. Stroube, M.D., M.P.H.  
State Health Commissioner  
Department of Health  
P.O. Box 2448  
Richmond, Virginia 23218-2448

## Amendments to the Biosolids Use Regulations Field Storage

Dear Dr. Stroube:

I have reviewed a June 26, 2007, draft of proposed amendments to the Biosolids Use Regulations that provide for field storage of biosolids as an alternative to routine storage. Department staff prepared these amendments pursuant to Section 2.2-4007 of the Administrative Process Act.

This will confirm that the Board possesses the authority to adopt these amendments pursuant to Va. Code § 32.1-164.5. The purpose of this communication is to provide legal advice. To the extent that this communication may advise you that certain action is lawful, the decision whether to take such action remains a policy decision within the discretion of your agency or board and this communication should not be construed as a comment for or against the merits of such action.

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 'Kerri L. Nicholas'.

Kerri L. Nicholas  
Assistant Attorney General

cc: Robert W. Hicks  
Calmet M. Sawyer, Ph.D., P.E.