



COMMONWEALTH of VIRGINIA

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MEMORANDUM

TO: M. Norman Oliver, M.D., M.A.
Commissioner, Department of Health

FROM: Grant E. Kronenberg
Assistant Attorney General *GEK*

DATE: June 17, 2019

SUBJECT: Proposed Repeal of the Authorized Onsite Soil Evaluator Regulations
12VAC5-615-10, *et seq.*

I have reviewed the proposed repeal of the Authorized Onsite Soil Evaluator Regulations, 12VAC5-615-10 *et seq.*

It is my view that the Board of Health has legal authority to repeal the subject regulations. The statutory authority for regulating onsite soil evaluators now rests with the Department of Professional and Occupational Regulation, rather than with the Virginia Department of Health. If I may be of any further assistance to you relating to this matter, please do not hesitate to contact me.