



COMMONWEALTH of VIRGINIA

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MEMORANDUM

TO: Marissa J. Levine, M.D., M.P.H.
Commissioner, Virginia
Department of Health

FROM: Karri B. Atwood
Assistant Attorney General

DATE: June 16, 2014

RE: Proposed Revisions to the Sewage Handling and Disposal Regulations- Gravelless Material and Drip Dispersal

I have reviewed the above-referenced proposed revisions to the Sewage Handling and Disposal Regulations, adding provisions for gravelless material and drip dispersal, 12VAC5-610 et seq. The revisions are proposed to permanently incorporate the requirements for gravelless material and drip dispersal established by the January 2, 2014 emergency regulations.

It is my view that the Board of Health, contingent on approval by the Governor, has legal authority to promulgate the subject revisions to the regulations pursuant to *Code of Virginia* § 32.1-12, § 32.1-164, and § 32.1-164.9. If I may be of any further assistance to you relating to this matter, please do not hesitate to contact me.