



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: December 24, 2014

RE: Periodic review of 9VAC15-40, Small Renewal Energy
(Wind) Permit by Rule (PBR)

Pursuant to Executive Order 17, I have reviewed the above-referenced regulations of the Department of Environmental Quality. It is my opinion that the Department has the authority to for these 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. The regulations do not exceed the Department's rulemaking authority.

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