



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: March 5, 2019

RE: Small Renewable Energy Projects (Combustion) Permit by Rule,
9VAC15-70

Pursuant to Va. Code § 2.2-4017 and Executive Order 14 (2018), I have reviewed the above-referenced regulations of the Department of Environmental Quality. It is my opinion that the Department has statutory authority for the regulations, including Virginia Code section 10.1-1197.6, and has not exceeded its rulemaking authority.

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