

MEMORANDUM

FROM: Katherine E. Kulbok
Assistant Attorney General

DATE: May 13, 2022

RE: Periodic Review of Regulations — 9VAC5-40, Existing Stationary Sources

Please note that this memorandum does not constitute an opinion, formal or informal, of the Attorney General. Rather, this memorandum contains the legal analysis of the individual staff member providing it.

Pursuant to Va. Code § 2.2-4017 and Executive Order 14 (as amended July 16, 2018), I have reviewed the above-referenced regulations of the State Air Pollution Control Board. It is my opinion that the Board has statutory authority for the regulations, including Code of Virginia § 10.1-1308, and has not exceeded that authority.

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