



**COMMONWEALTH of VIRGINIA**  
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MEMORANDUM

TO: Mike Rolband, Director  
Department of Environmental Quality

FROM: Jackson Brown  
Assistant Attorney General

DATE: July 16, 2024

RE: Review of Final Regulation — 9 VAC 25-790

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*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.*

In response to a request from the Department of Environmental Quality, I reviewed the above-referenced regulations of the State Water Control Board.

The Department has the authority to issue the proposed amendment to 9 VAC 25-790 (“Sewage Collection and Treatment Regulations”) pursuant to §§ 62.1-44.19 and 62.1-44.15(10) of the Code of Virginia. After reviewing the proposed regulation, it is my opinion that the State Water Control Board has the authority to so amend 9 VAC 25-790.