



COMMONWEALTH of VIRGINIA

Office of the Attorney General

Robert F. McDonnell
Attorney General

March 27, 2007

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The Honorable David K. Paylor, Director
Virginia Department of Environmental Quality
629 East Main Street
Richmond, Virginia 23219

Re: Authority to Amend Water Quality Management Regulation (WQMP), 9
VAC 25-720 – Allocations for Four Dischargers

Dear Director Paylor:

I have reviewed the above-referenced regulation adjusting waste load allocations under the WQMP for four dischargers. Based upon your agency's representations, it is my opinion that the State Water Control Board has authority to promulgate the regulations under applicable law, including Chapter 3.1 of Title 62.1 of the *Code of Virginia*, and specifically, under *Va. Code* § 2.2-4012.1 as a fast-track regulation.

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

Sincerely,

Alfred B. Albiston
Assistant Attorney General
Environmental Unit

cc: Cindy Berndt