



COMMONWEALTH of VIRGINIA
Office of the Attorney General
Richmond 23219

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April 12, 2010

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

Re: Authority to Promulgate Final Amendment 7 to the Virginia Solid Waste Management Regulations 9 VAC 20-81 *et seq.*

Dear Director Paylor:

I have reviewed the above-referenced regulation. It is my opinion that the Waste Management Board has authority to promulgate the regulation under applicable law, including Chapter 14 of Title 10.1 of the Code of Virginia and that the proposed amendment comports with applicable state law. It is further my opinion that the Board has the authority to repeal the previous Virginia Solid Waste Management Regulations, 9 VAC 20-80, *et seq.* and the Vegetative Waste Management and Yard Waste Composting Regulations, 9 VAC 20-101, *et seq.*

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

Sincerely,

Handwritten signature of Kerri L. Nicholas in cursive script.

Kerri L. Nicholas
Assistant Attorney General