



# **COMMONWEALTH of VIRGINIA**

*Office of the Attorney General*

Kenneth T. Cuccinelli II  
Attorney General

900 East Main Street  
Richmond, Virginia 23219  
804-786-2071  
FAX 804-786-1991  
Virginia Relay Services  
800-828-1120  
7-1-1

## **MEMORANDUM**

**TO:** Dr. Thomas L. York, Ph.D., HCLD  
DGS Deputy Director for Laboratories  
Division of Consolidated Laboratory Services

**FROM:** Karri B. Atwood  
Assistant Attorney General

**DATE:** September 26, 2012

**RE:** Proposed Amendments to the Certification for Noncommercial Environmental Laboratories and Accreditation for Commercial Environmental Laboratories

I have reviewed the proposed amendments to the regulations for *Certification for Noncommercial Environmental Laboratories and Accreditation for Commercial Environmental Laboratories*. These amendments are proposed to conform to the amendment made to §2.2-1105 by Chapter 99 of the 2012 Acts of Assembly. It is therefore my view that the regulations are necessary to conform to changes in Virginia statutory law or the appropriation act where no agency discretion is involved. Accordingly, in my view, the draft amendments qualify for the Code of Virginia Code § 2.2- 4006 (A)(4)(a) exemption from Article 2, "Regulations," of the Administrative Process Act.

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