



COMMONWEALTH of VIRGINIA
Office of the Attorney General
Richmond 23219

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Attorney General

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June 15, 2011

Karen Remley, M.D., M.B.A.
State Health Commissioner
Department of Health
109 Governor Street
P.O. Box 2448
Richmond, Virginia 23218-2448

**Re: Authority to Promulgate Regulations for Alternative Onsite Sewage
Systems, 12 VAC 5-613**

Dear Dr. Remley:

I have reviewed the above-referenced regulations. It is my opinion that the Board of Health has authority to promulgate these regulations under applicable law, including §§ 32.1-12, 32.1-163.6 and 32.1-164 of the Code of Virginia.

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

Sincerely,

A handwritten signature in cursive script that reads 'Kerri L. Nicholas'.

Kerri L. Nicholas
Assistant Attorney General
Environmental Section

cc: Robert W. Hicks