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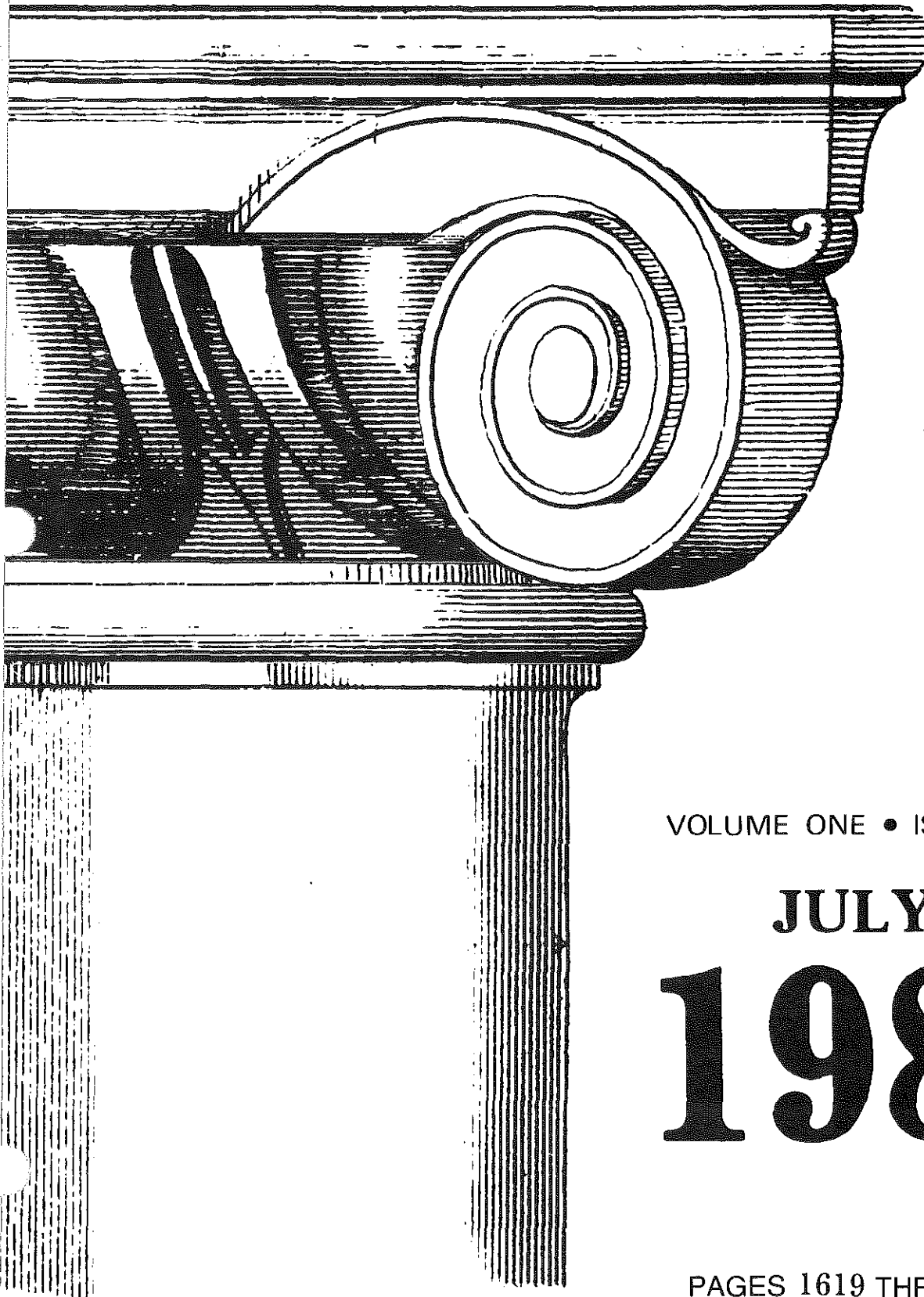
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VIRGINIA REGISTER

OF REGULATIONS

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INFORMATION ABOUT THE VIRGINIA REGISTER OF REGULATIONS

VIRGINIA REGISTER

The *Virginia Register* is an official state publication issued every other week throughout the year. Indexes are published quarterly, and the last index of the year is cumulative.

The *Virginia Register* has several functions. The full text of all regulations, both as proposed and as finally adopted or changed by amendment are required by law to be published in the *Virginia Register of Regulations*.

In addition, the *Virginia Register* is a source of other information about state government, including all Emergency Regulations issued by the Governor, and Executive Orders, the Virginia Tax Bulletin issued monthly by the Department of Taxation, and notices of all public hearings and open meetings of state agencies.

ADOPTION, AMENDMENT, AND REPEAL OF REGULATIONS

An agency wishing to adopt, amend, or repeal regulations must first publish in the Virginia Register a notice of proposed action; a basis, purpose, impact and summary statement; a notice giving the public an opportunity to comment on the proposal, and the text of the proposed regulations.

Under the provisions of the Administrative Process Act, the Registrar has the right to publish a summary, rather than the full text, of a regulation which is considered to be too lengthy. In such case, the full text of the regulation will be available for public inspection at the office of the Registrar and at the office of the promulgating agency.

Following publication of the proposal in the *Virginia Register*, sixty days must elapse before the agency may take action on the proposal.

During this time, the Governor and the General Assembly will review the proposed regulations. The Governor will transmit his comments on the regulations to the Registrar and the agency and such comments will be published in the *Virginia Register*.

Upon receipt of the Governor's comment on a proposed regulation, the agency (i) may adopt the proposed regulation, if the Governor has no objection to the regulation; (ii) may modify and adopt the proposed regulation after considering and incorporating the Governor's suggestions, or (iii) may adopt the regulation without changes despite the Governor's recommendations for change.

The appropriate standing committee of each branch of the General Assembly may meet during the promulgation or final adoption process and file an objection with the *Virginia Registrar* and the promulgating agency. The objection will be published in the *Virginia Register*. Within twenty-one days after receipt by the agency of a legislative objection, the agency shall file a response with the Registrar, the objecting legislative Committee, and the Governor.

When final action is taken, the promulgating agency must again publish the text of the regulation, as adopted, highlighting and explaining any substantial changes in the final regulation. A thirty-day final adoption period will commence upon publication in the *Virginia Register*.

The Governor will review the final regulation during this time and if he objects, forward his objection to the Registrar and the agency. His objection will be published in the *Virginia Register*. If the Governor finds that changes made to the proposed regulation are substantial, he may suspend the regulatory process for thirty days and

require the agency to solicit additional public comment on the substantial changes.

A regulation becomes effective at the conclusion of this thirty-day final adoption period, or at any other later date specified by the promulgating agency, unless (i) a legislative objection has been filed, in which event the regulation, unless withdrawn, becomes effective on the date specified, which shall be after the expiration of the twenty-one day extension period; or (ii) the Governor exercises his authority to suspend the regulatory process for solicitation of additional public comment, in which event the regulation, unless withdrawn, becomes effective on the date specified which date shall be after the expiration of the period for which the Governor has suspended the regulatory process.

Proposed action on regulations may be withdrawn by the promulgating agency at any time before final action is taken.

EMERGENCY REGULATIONS

If an agency determines that an emergency situation exists, it then requests the Governor to issue an emergency regulation. The emergency regulation becomes operative upon its adoption and filing with the Registrar of Regulations, unless a later date is specified. Emergency regulations are limited in time and cannot exceed a twelve-months duration. The emergency regulations will be published as quickly as possible in the *Virginia Register*.

During the time the emergency status is in effect, the agency may proceed with the adoption of permanent regulations through the usual procedures (See "Adoption, Amendment, and Repeal of Regulations," above). If the agency does not choose to adopt the regulations, the emergency status ends when the prescribed time limit expires.

STATEMENT

The foregoing constitutes a generalized statement of the procedures to be followed. For specific statutory language, it is suggested that Article 2 of Chapter 1.1:1 (§§ 9-6.14:6 through 9-6.14:9) of the Code of Virginia be examined carefully.

CITATION TO THE VIRGINIA REGISTER

The Virginia Register is cited by volume, issue, page number, and date. 1:3 VA.R. 75-77 November 12, 1984 refers to Volume 1, Issue 3, pages 75 through 77 of the Virginia Register issued on November 12, 1984.

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Members of the Virginia Code Commission: Theodore V. Morrison, Jr., Chairman, Delegate; Dudley J. Emick, Jr., Vice Chairman Senator; A. L. Philpott, Speaker of the House of Delegates; James P. Jones, Senator; Russell M. Carneal, Circuit Judge; John Wingo Knowles, Retired Circuit Judge; William G. Broadus, Chief Deputy Attorney General; John A. Banks, Jr., Secretary, Director of the Division of Legislative Services.

Staff of the Virginia Register: Joan W. Smith, Registrar of Regulations; Ann M. Brown, Assistant Registrar of Regulations.

Citizen Participation in the Rule-Making Process

As required by the Administrative Process Act, each agency of the Commonwealth is required to develop, adopt and utilize public participation guidelines for soliciting the input of interested parties in the formation and development of its regulations.

Citizens may participate in the process by which administrative regulations are adopted, amended, or repealed by submitting data or views on proposed regulations either orally or in writing, to the proposing agency (see General Notices and Calendar of Events section of the *Virginia Register*).

How to Follow State Agency Regulatory Action in the Virginia Register

Under the provisions of the Administrative Process Act, state agencies must publish in the *Virginia Register* the full text of proposed rules and regulations, if substantive, as well as a summary statement.

In addition, the agency is required to provide a public comment period and hold a public hearing. A notice of hearing will be published sixty days prior to the hearing. Such notices are published in the CALENDAR OF EVENTS section of the *Virginia Register*. Proposed regulations and adopted regulations are published in separate sections of the *Virginia Register*.

All executive orders and comments on regulations issued by the Governor are published under the GOVERNOR section.

The CALENDAR OF EVENTS section not only contains the notices of public comment periods and hearings but also all notices of meetings required to be open under the provisions of the Freedom of Information Act.

**VIRGINIA REGISTER OF REGULATIONS
PUBLICATION DEADLINES AND SCHEDULES**

ISSUE DATE	MATERIAL SUBMITTED BY 4:30 p.m. Friday	Will be included in PUBLICATION MAILED on Friday
Feb. 4	Jan. 18	Feb. 1
Feb. 18	Feb. 1	Feb. 15
Mar. 4	Feb. 15	Mar. 1
Mar. 18	Mar. 1	Mar. 15
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PROPOSED REGULATIONS

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Symbol Key

Roman type indicates existing text of regulations. *Italic type* indicates proposed new text. Language which has been stricken indicates proposed text for deletion.

DEPARTMENT OF HEALTH

Title of Regulations: VR 355-34-01. Sewage Handling and Disposal Regulations.

Statutory Authority: § 32.1-166.1 of the Code of Virginia.

Public Hearing Date: (See Calendar of Events for additional information)

NOTICE: Due to its length, the full text of the Sewage Handling and Disposal Regulations filed by the Department of Health, is not being published. A summary and amendments to Article 3.08.02 are published below. The full text of the regulations is available for public inspection at the office of the Registrar of Regulations and the Department of Health.

Summary:

Section 32.1-166.10 of the Code of Virginia requires the department to establish a reasonable fee to be charged to each applicant for a hearing commensurate with the time and expenses related to the handling of each appeal.

Accordingly, the staff proposes the Board of Health adopt an \$800 fee for each appearance before the department's Sewage Handling and Disposal Appeals Review Board.

This fee is based upon the expected direct costs to the department to hold an appeal. Estimated costs per appeal include travel, lodging, and meal expenses of the seven members of the Review Board - \$450; costs of having a court reporter attend and transcribe each hearing - \$300; and a small administrative cost of \$50.

The Sewage Handling and Disposal Advisory Committee at their last meeting approved a motion that appeal fees should be set at \$800 unless the department is willing to absorb some of these expenses.

The Review Board was established by § 32.1-166.1 of the Code of Virginia, and given the power and duty to hear all appeals of denials of onsite sewage disposal system permits and to render a decision on any such appeal.

Article 3.8 B "Adjudicatory Hearing for appeals of denials of sewage disposal system construction permits." The adjudicatory hearing is a formal, public adjudicatory proceeding before the Commissioner or his designee - Sewage Handling and Disposal Appeals Review Board and held in conformance with section § 9-6.14.12 of the Code of Virginia. An adjudicatory hearing includes the following features:

Notice - Notice which states the time and place and the issues involved in the prespective hearing shall be sent to the owner who is the subject of the hearing. Notice shall be sent at least fifteen (15) calendar days before the hearing is to take place.

Record - A record of the hearing may be recorded by a court reporter. A copy of the transcript of the hearing, if transcribed, will be provided within a reasonable time to any person upon written request and payment of the cost.

Evidence - All interested parties may attend the hearing and submit oral and documentary evidence and rebuttal proofs, expert or otherwise, that is material and relevant to the issues in controversy. The admissibility of evidence shall be determined in accordance with Section 9-6.14.12 of Chapter 1-1, Title 9, Code of Virginia (1950), as amended.

Counsel - All parties may be accompanied by and represented by counsel and are entitled to conduct such cross examination as may elicit a full and fair disclosure of the facts.

Subpoena - Pursuant to Section 9-6.14.13 of the Code, the commissioner may issue subpoenas on behalf of himself or any person or owner for the attendance of witnesses and the production of books, papers or maps. Failure to appear or to testify or to produce documents without adequate excuse shall be reported by the Commissioner to the Circuit Court of the City of Richmond for an appropriate enforcement action.

Judgement and Final Order - At the closure of the presentation of the evidence the Commissioner will enter judgement on the issue in controversy. The Judgement shall be reduced to writing and will contain the explicit findings of fact upon which his decision is based. Certified copies of the order of judgement shall be delivered to the owner affected by it. Notice of a final judgement will be served upon the parties and become a part of the record. Service may be by personal service or certified mail return receipt requested.

VR 355-34-01. Sewage Handling and Disposal Regulations.

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3.8.B.1. Fees—A fee of \$800 shall be charged to appellants for each appearance before the State Sewage Handling and Disposal Appeals Review Board.

VIRGINIA HOUSING DEVELOPMENT AUTHORITY

Note: The Virginia Housing Development Authority is exempted from the Administrative Process Act (§ 9-6.14:4 of the Code of Virginia); however, under the provisions of § 9-6.14:22, it is required to publish all proposed and final regulations.

Title of Regulation: VR 400-02-0003. Procedures, Instructions and Guidelines for Single Family Mortgage Loans to Persons of Low and Moderate Income.

Statutory Authority: § 36-55.30:3 of the Code of Virginia.

Effective Date: July 16, 1985

NOTICE

Documents and forms referred to as Exhibits have not been adopted by the Authority as a part of the Procedures, Instructions and Guidelines for Single Family Mortgage Loans to Persons and Families of Low and Moderate Income but are attached thereto for reference and informational purposes. Accordingly, such documents and forms have not been included in the amendments to Procedures, Instructions and Guidelines for Single Family Mortgage Loans to Persons and Families of Low and Moderate Income. Copies of such documents and forms are available upon request at the office of the Authority.

Summary:

The regulation will redesignate the Northern Virginia Planning District as the Washington, DC-MD-VA MSA and will include Stafford County therein; will increase the maximum allowable sales prices and maximum allowable adjusted incomes with respect to mortgage loans to finance residences in the Washington, DC-MD-VA MSA from the proceeds of certain bond issues of the Authority; and will increase the maximum allowable sales price applicable to any residence by the amount of any grant under the Authority's Solar Home Grant Program.

VR 400-02-0003. Procedures, Instructions and Guidelines for Single Family Mortgage Loans to Persons of Low and Moderate Income.

PART I. GENERAL.

§ 1.1. The following procedures, instructions and guidelines will be applicable to mortgage loans which are made or financed or are proposed to be made or financed by the

Authority to persons and families of low and moderate income for the acquisition (and, where applicable, rehabilitation), ownership and occupancy of single family housing units.

In order to be considered eligible for a mortgage loan hereunder, a "person" or "family" (as defined in the Authority's Rules and Regulations) must have an "adjusted family income" (as determined in accordance with the Authority's Rules and Regulations) which does not exceed the applicable income limitation established by the Authority. Furthermore, the sales price of any single family unit to be financed hereunder must not exceed the applicable sales price limit established by the Authority. Such income and sales price limitations shall be set forth in the Processing and Disbursing Guide described in Section 4 § 1.2 C hereof.

Notwithstanding anything to the contrary herein, the Executive Director is authorized with respect to any mortgage loan hereunder to waive or modify any provisions of these procedures, instructions and guidelines where deemed appropriate by him for good cause, to the extent not inconsistent with the Authority's Act, Rules and Regulations, and covenants and agreements with the holders of its bonds.

"Executive Director" as used herein means the Executive Director of the Authority or any other officer or employee of the Authority who is authorized to act on behalf of the Authority pursuant to a resolution of the Board.

All reviews, analyses, evaluations, inspections, determinations and other actions by the Authority pursuant to the provisions of these procedures, instructions and guidelines shall be made for the sole and exclusive benefit and protection of the Authority and shall not be construed to waive or modify any of the rights, benefits, privileges, duties, liabilities or responsibilities of the Authority or the mortgagor under the agreements and documents executed in connection with the mortgage loan.

The procedures, instructions and guidelines set forth herein are intended to provide a general description of the Authority's processing requirements and are not intended to include all actions involved or required in the processing and administration of mortgage loans under the Authority's single family housing program. These procedures, instructions and guidelines are subject to change at any time by the Authority and may be supplemented by policies, procedures, instructions and guidelines adopted by the Authority from time to time.

B: § 1.2. Processing/Disbursing/Servicing Agents.

A. The processing of applications for the making or financing of mortgage loans hereunder, the disbursement of proceeds of mortgage loans and the servicing of mortgage loans shall be performed through commercial banks, savings and loan associations and private mortgage

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bankers approved as Processing/Disbursing/Servicing Agents ("PDS Agents") of the Authority. To be initially approved as PDS Agents, the applicant must meet the following qualifications:

1. Be authorized to do business in the Commonwealth of Virginia;
2. Have a satisfactory rating from any state and/or federal agencies responsible for the regulation of the applicant;
3. Have a net worth equal to or in excess of \$100,000 or, in the case of a savings and loan association, have its deposits insured by the Federal Savings and Loan Insurance Corporation;
4. Have aggregate servicing and originating volume during the preceding five years at least equal to ~~ten~~ 10 times the principal amount of loans expected to be initially serviced and originated for the Authority;
5. Have a staff with demonstrated ability and experience in mortgage loan origination and servicing;
6. Each branch office of the applicant that is to originate mortgage loans must have demonstrated experience in the origination of mortgage loans;
7. Have a delinquency rate on its portfolio of serviced mortgage loans not in excess of ~~5%~~ five percent ;
8. Have a foreclosure rate on portfolio of serviced mortgage loans not in excess of ~~1%~~ per annum one percent annually ;
9. Have reasonable business hours - i.e. be open to the public at least ~~5~~ five hours every banking day; and
10. Such other qualifications as the Executive Director shall deem to be related to the performance of its duties and responsibilities.

If the applicant is to originate (but not service) mortgage loans, the applicant must satisfy the qualification set forth in (4) and (5) above only with respect to the origination of mortgage loans.

All PDS Agents approved by the Authority shall enter into Processing/Disbursing/Servicing Agreements ("PDS Agreements") with the Authority containing such terms and conditions as the Executive Director shall require with respect to the processing, disbursing and servicing of mortgage loans hereunder. The PDS Agents shall maintain adequate books and records with respect to such mortgage loans, shall permit the Authority to examine such books and records, and shall submit to the Authority such reports (including annual financial statements) and information as the Authority may require. The fees payable to the PDS Agent for originating and servicing mortgage loans hereunder shall be established from time

to time by the Executive Director and shall be set forth in the PDS Agreements.

~~C.~~ B. Allocation of funds.

The Executive Director shall allocate funds for the making or financing of mortgage loans hereunder in such manner, to such persons and entities, in such amounts, for such period, and subject to such terms and conditions as he shall deem appropriate to best accomplish the purposes and goals of the Authority. Without limiting the foregoing, the Executive Director may allocate funds ~~(a)~~ (i) to mortgage loan applicants on a first-come, first-serve or other basis, ~~(b)~~ (ii) to PDS Agents and state and local government agencies and instrumentalities for the origination of mortgage loans to qualified applicants and/or ~~(c)~~ (iii) to builders for the permanent financing of residences constructed or rehabilitated or to be constructed or or rehabilitated by them and to be sold to qualified applicants. In determining how to so allocate the funds, the Executive Director may consider such factors as he deems relevant, including any of the following:

1. The need for the expeditious commitment and disbursement of such funds for mortgage loans;
2. The need and demand for the financing of mortgage loans with such funds in the various geographical areas of the Commonwealth;
3. The cost and difficulty of administration of the allocation of funds;
4. The capability, history and experience of any PDS Agents, state and local governmental agencies and instrumentalities, builders, or other persons and entities (other than mortgage loan applicants) who are to receive an allocation; and
5. Housing conditions in the Commonwealth.

In the event that the Executive Director shall determine to make allocations of funds to builders as described above, the following requirements must be satisfied by each such builder:

1. The builder must have a valid contractor's license in the State of ~~Virginia~~ Commonwealth ;
2. The builder must have at least ~~3~~ three years' experience of a scope and nature similar to the proposed construction or rehabilitation; and
3. The builder must submit to the Authority plans and specifications for the proposed construction or rehabilitation which are acceptable to the Authority.

The Executive Director may from time to time take such action as he may deem necessary or proper in order to solicit applications for allocation of funds hereunder. Such actions may include advertising in newspapers and

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other media, mailing of information to prospective applicants and other members of the public, and any other methods of public announcement which the Executive Director may select as appropriate under the circumstances. The Executive Director may impose requirements, limitations and conditions with respect to the submission of applications as he shall consider necessary or appropriate. The Executive Director may cause market studies and other research and analyses to be performed in order to determine the manner and conditions under which funds of the Authority are to be allocated and such other matters as he shall deem appropriate relating thereto. The Authority may also consider and approve applications for allocations of funds submitted from time to time to the Authority without any solicitation therefor on the part of the Authority.

D. C. Processing and Disbursing Guide and Servicing Guide.

The Processing and Disbursing Guide attached hereto as ~~Addendum A~~ PART II is incorporated into and made a part of these procedures, instructions and guidelines. The Executive Director is authorized to prepare and from time to time revise a Servicing Guide which shall set forth the accounting and other procedures to be followed by the PDS Agents in the servicing of the mortgage loans under the PDS Agreements. Copies of the Servicing Guide shall be available upon request. The Executive Director shall be responsible for the implementation and interpretation of the provisions of the Processing and Disbursing Guide and the Servicing Guide.

E. D. Making and purchase of new mortgage loans.

The Authority may from time to time ~~(a)~~ (i) make mortgage loans directly to mortgagors with the assistance and services of its PDS Agents and ~~(b)~~ (ii) agree to purchase individual mortgage loans from its PDS Agents upon the consummation of the closing thereof. The review and processing of applications for such mortgage loans, the issuance of mortgage loan commitments therefor, the closing and servicing (and, if applicable, the purchase) of such mortgage loans, and the terms and conditions relating to such mortgage loans shall be governed by and shall comply with the provisions of the PDS Agreement, the Processing and Disbursing Guide, the Servicing Guide and the Authority's Act and Rules and Regulations.

F. E. Purchase of existing mortgage loans.

The Authority may purchase from time to time existing mortgage loans with funds held or received in connection with bonds issued by the Authority prior to January 1, 1981, or with other funds legally available therefor. With respect to any such purchase, the Executive Director may request and solicit bids or proposals from the Authority's PDS Agents for the sale and purchase of such mortgage loans, in such manner, within such time period and subject to such terms and conditions as he shall deem appropriate under the circumstances. The

Executive Director may take such action as he deems necessary or appropriate to solicit offers to sell mortgage loans, including mailing of the request to PDS Agents, advertising in newspapers or other publications and any other method of public announcement which he may select as appropriate under the circumstances. After review and evaluation by the Executive Director of the bids or proposals, he shall select those bids or proposals that offer the highest yield to the Authority on the mortgage loans (subject to any limitations imposed by law on the Authority) and that best conform to the terms and conditions established by him with respect to the bids or proposals. Upon selection of such bids or proposals, the Executive Director shall issue commitments to the PDS Agents to purchase the mortgage loans, subject to such terms and conditions as he shall deem necessary or appropriate and subject to the approval or ratification by the Board. Upon satisfaction of the terms of the commitments, the Executive Director shall execute such agreements and documents and take such other action as may be necessary or appropriate in order to consummate the purchase and sale of the mortgage loans. The mortgage loans so purchased shall be serviced in accordance with the PDS Agreement and the Servicing Guide. Such mortgage loans and the purchase thereof shall in all respects comply with the Authority's Act and Rules and Regulations.

G. F. Delegated underwriting.

The Executive Director may, in his discretion, delegate to one or more PDS Agents the responsibility for issuing commitments for mortgage loans and disbursing the proceeds hereof without prior review and approval by the Authority. The issuance of such commitments shall be subject to ratification thereof by the Board of the Authority. If the Executive Director determines to make any such delegation, he shall establish criteria under which PDS Agents may qualify for such delegation. If such delegation has been made, the PDS Agents shall submit all required documentation to the Authority after closing of each mortgage loan. If the Executive Director determines that a mortgage loan does not comply with the Processing and Disbursing Guide, the PDS Agreement or the Authority's Act or Rules and Regulations, he may require the PDS Agents to purchase such mortgage loan, subject to such terms and conditions as he may prescribe.

PART II.

VIRGINIA HOUSING DEVELOPMENT AUTHORITY PROCESSING AND DISBURSING GUIDE

Section F. Article I. Eligibility Requirements.

~~1-1~~ § 2.1. Eligible persons and families.

~~1-~~ A. Person: A one-person household is eligible, but the Authority will restrict the number of loans that the PDS Agent can originate for such persons and has established sales price limits for such households. An

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individual who is 62 or more years of age or who is handicapped or disabled shall not be deemed a one-person household for these purposes.

2- B. Family: A single family loan can be made to more than one person only if all such persons to whom the loan is made are related by blood, marriage or adoption and are living together in the dwelling as a single nonprofit housekeeping unit.

1. Allocation to one-person households.

The maximum number of one-person households will be limited to 17% of all units financed. Units will be allocated by planning district with each planning district to receive funds based on its relative need. Allocation of one-person households to PDS Agents and builders will be made based upon the dollar amount of their allocation and geographical location. The maximum number of one-person households allowed will be specified in the Forward Commitment Agreement and Builder Commitment Agreement.

1-2 § 2.2. Compliance with certain requirements of the Mortgage Subsidy Bond Tax Act of 1980.

The Federal Mortgage Subsidy Bond Tax Act of 1980 imposes certain new requirements and restrictions on the eligibility of mortgagors and residences for financing with the proceeds of tax-exempt bonds. In order to comply with this federal law, VHDA is establishing certain procedures which must be performed by the PDS Agent in order to determine such eligibility. The eligibility requirements for the borrower and the dwelling are described below as well as the procedures to be performed. The PDS Agent will certify to the performance of these procedures and evaluation of a borrower's eligibility by completing, initialing and signing the "Checklist for certain requirements of the Mortgage Subsidy Bond Tax Act of 1980" (the "checklist") (Section II, Exhibit A) prior to VHDA approval of each loan. No loan will be approved by VHDA unless all of the federal eligibility requirements are met as well as the usual VHDA requirements set forth in other parts of this guide.

1-2-1 § 2.2.1 Eligible borrowers.

A. General.

An applicant will be considered an eligible borrower for a VHDA mortgage loan, if the applicant meets all of the following federal criteria:

1. Has not had a present ownership interest in his ~~her~~ principal residence within the three years preceding the date of execution of the mortgage loan. (See B. Three-year requirement);

2. Agrees to occupy and use the residential property to be purchased as his ~~her~~ permanent, principal residence within 60 days (90 days in the case of a

rehabilitation loan as defined in section 1-16 § 2.17) after the date of the closing of the mortgage loan. (See C. Principal residence requirement);

3. Will not use the proceeds of the mortgage loan to acquire or replace an existing mortgage or debt, except in the case of certain types of temporary financing. (See D. New mortgage requirement);

4. Has contracted to purchase an eligible dwelling. (See 1-2-2 § 2.2.2. Eligible dwelling);

5. Has executed a borrower affidavit at the time of loan application (to be confirmed on the date of loan closing); and

6. Agrees not to sell, lease or otherwise transfer an interest in the residence or permit the assumption of his ~~her~~ mortgage loan without the prior written consent of VHDA.

B. Three-year requirement.

An eligible borrower does not include any borrower who, at any time during the three years preceding the date of execution of the mortgage loan, had a "present ownership interest" (as hereinafter defined) in his ~~her~~ principal residence. Each borrower must certify on the borrower affidavit that at no time during the three years preceding the execution of the mortgage loan has he ~~she~~ has a present ownership interest in his ~~her~~ principal residence. This requirement does not apply to residences located in "Targeted areas" (see 1-2-3 § 2.3. "Targeted areas"); however, even if the residence is located in a "Targeted area," the prior tax returns described in 3 . below must be obtained for the purpose of determining compliance with other requirements.

1. Definition of Present ownership interest. "Present ownership interest" includes:

a. A fee simple interest,

b. A joint tenancy, a tenancy in common, or a tenancy by the entirety,

c. The interest of a tenant shareholder in a cooperative,

d. A life estate,

e. A land contract, under which possession and the benefits and burdens of ownership are transferred although legal title is not transferred until some later time, and

f. An interest held in trust for the eligible borrower (whether or not created by the eligible borrower) that would constitute a present ownership interest if held directly by the eligible borrower.

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Interests which do not constitute a "present ownership interest" include:

- a. A remainder interest,
- b. An ordinary lease with or without an option to purchase,
- c. A mere expectancy to inherit an interest in a principal residence,
- d. The interest that a purchaser of a residence acquires on the execution of an accepted offer to purchase real estate, and
- e. An interest in other than a principal residence during the previous three years.

2. Persons covered. This requirement applies to any person who will execute the mortgage or note and will have a present ownership interest (as defined above) in the eligible dwelling.

3. Prior tax returns. To verify that the eligible borrower meets the three-year requirement, the PDS Agent must obtain copies of signed federal income tax returns filed by the eligible borrower for the three years preceding execution of the mortgage or certified copies of the returns. If the eligible borrower was not required by law to file a federal income tax return for any of these three years and did not so file, and so states on the borrower affidavit, the requirement to obtain a copy of the federal income tax return for such year is waived.

The PDS Agent shall examine the tax returns particularly for any evidence that the eligible borrower may have claimed deductions for property taxes or for interest on indebtedness with respect to real property constituting his ~~her~~ principal residence.

4. Review by PDS Agent. The PDS Agent must, with due diligence, verify the representations in the borrower affidavit regarding the applicant's prior residency by reviewing any information including the credit report and the tax returns furnished by the eligible borrower for consistency, and certify to VHDA that on the basis of its review, it is of the opinion that each borrower has not had present ownership interest in a principal residence at any time during the ~~3-~~ three-year period prior to the anticipated date of the loan closing.

C. Principal residence requirement.

1. General. An eligible borrower must intend to occupy the eligible dwelling as a principal residence within 60 days (90 days in the case of rehabilitation loan) after the closing of the mortgage loan. Unless the residence can reasonably be expected to become the principal residence of the eligible borrower within

60 days (90 days in the case of a rehabilitation loan) of the mortgage loan closing date, the residence will not be considered an eligible dwelling and may not be financed with a mortgage loan from VHDA. An eligible borrower must covenant to intend to occupy the eligible dwelling as a principal residence within 60 days (90 days in the case of rehabilitation loan) after the closing of the mortgage loan on the borrower affidavit and as part of the attachment to the deed of trust.

2. Definition of principal residence. A principal residence does not include any residence which can reasonably be expected to be used: ~~(a)~~ (i) primarily in a trade or business, ~~(b)~~ (ii) as an investment property, or ~~(c)~~ (iii) as a recreational or second home. A residence may not be used in a manner which would permit any portion of the costs of the eligible dwelling to be deducted as a trade or business expense for federal income tax purposes or under circumstances where any portion of the total living area is to be used primarily in a trade or business.

3. Land not to be used to produce income. The land financed by the mortgage loan may not provide, other than incidentally, a source of income to the eligible borrower. The eligible borrower must indicate on the borrower affidavit that, among other things:

a. No portion of the land financed by the mortgage loan provides a source of income (other than incidental income);

b. He does not intend to farm any portion (other than as a garden for personal use) of the land financed by the mortgage loan; and

c. He does not intend to subdivide the property.

4. Lot size. Only such land as is reasonably necessary to maintain the basic livability of the residence may be financed by a mortgage loan. The financed land must not exceed the customary or usual lot in the area. Generally, the financed land will not be permitted to exceed two acres even in rural areas.

5. Review by PDS Agent. The borrower affidavit must be reviewed by the PDS Agent for consistency with the eligible borrower's federal income tax returns and the credit report in order to support an opinion that the eligible borrower is not engaged in any employment activity or trade or business which has been conducted in his ~~her~~ principal residence. Also, the PDS Agent shall review the appraiser report of a VHDA-approved appraiser and the required photographs to determine based on the location and the structural design and other characteristics of the dwelling that the residence is suitable for use as a permanent residence and not for use primarily in a trade or business or for recreational purposes. Based on such review, the PDS Agent shall certify to its

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opinions in the checklist at the time the loan application is submitted to VHDA for approval.

6. Post-closing procedures. The PDS Agent shall establish procedures to ~~(a)~~ (i) review correspondence, checks and other documents received from the borrower during the 120-day period following the loan closing for the purpose of ascertaining that the address of the residence and the address of the borrower are the same and ~~(b)~~ (ii) notify VHDA if such addresses are not the same. Subject to VHDA's approval, the PDS Agent may establish different procedures to verify compliance with this requirement.

D. New mortgage requirement.

Mortgage loans may be made only to persons who did not have a mortgage (whether or not paid off) on the eligible dwelling at any time prior to the execution of the mortgage. Mortgage loan proceeds may not be used to acquire or replace an existing mortgage or debt for which the eligible borrower is liable or which was incurred on behalf of the eligible borrower, except in the case of construction period loans, bridge loans or similar temporary financing which has a term of ~~twenty-four~~ 24 months or less.

1. Definition of Mortgage. For purposes of applying the new mortgage requirement, a mortgage includes deeds of trust, conditional sales contracts (i.e. generally a sales contract pursuant to which regular installments are paid and are applied to the sales price), pledges, agreements to hold title in escrow, a lease with an option to purchase which is treated as an installment sale for federal income tax purposes and any other form of owner-financing. Conditional land sale contracts shall be considered as existing loans or mortgages for purposes of this requirement.

2. Temporary financing. In the case of a mortgage loan made to refinance a loan for the construction of an eligible dwelling, VHDA shall not make such mortgage loan until it has determined that such construction has been satisfactorily completed.

3. Review by PDS Agent. Prior to closing the mortgage loan, the PDS Agent must examine the borrower affidavit, the seller affidavit, and related submissions, including (i) the eligible borrower's federal income tax returns for the preceding three years, and (ii) credit report, in order to determine whether the eligible borrower will meet the new mortgage requirements. Upon such review, the PDS Agent shall certify to VHDA that the agent is of the opinion that the proceeds of the mortgage loan will not be used to repay or refinance an existing mortgage debt of the borrower and that the borrower did not have a mortgage loan on the eligible dwelling prior to the date hereof, except for permissible temporary financing described above.

E. Multiple loans.

Any eligible borrower may not have more than one outstanding VHDA mortgage loan.

~~1.2.2~~ § 2.2.2. Eligible dwellings.

A. General.

In order to qualify as an eligible dwelling for which a VHDA loan may be made, the residence must:

1. Be located in the Commonwealth;
2. Be a one-family detached residence, a townhouse or one unit of a VHDA approved condominium; and
3. Satisfy the acquisition cost requirements set forth below.

B. Acquisition cost requirements.

1. General. The acquisition cost of an eligible dwelling may not exceed certain limits established by the U.S. Department of the Treasury in effect at the time of the application. Note: In all cases such federal limits equal or exceed the VHDA sales price limits shown in ~~Section 1.2~~ § 2.4. Therefore, the residence is an eligible dwelling if the acquisition cost is not greater than the VHDA sales price limit. In the event that the acquisition cost exceeds the VHDA sales price limit, the PDS Agent must contact VHDA to determine if the residence is an eligible dwelling.

2. Definition of acquisition cost. Acquisition cost means the cost of acquiring the eligible dwelling from the seller as a completed residence.

a. Acquisition cost includes:

(1) All amounts paid, either in cash or in kind, by the eligible borrower (or a related party or for the benefit of the eligible borrower) to the seller (or a related party or for the benefit of the seller) as consideration for the eligible dwelling. Such amounts include amounts paid for items constituting fixtures under state law, but not for items of personal property not constituting fixtures under state law. (See Exhibit R for examples of fixtures and items of personal property.)

(2) The reasonable costs of completing or rehabilitating the residence (whether or not the cost of completing construction or rehabilitation is to be financed with the mortgage loan) if the eligible dwelling is incomplete or is to be rehabilitated. As an example of reasonable completion cost, costs of completing the eligible dwelling so as to permit occupancy under local law would be included in the acquisition cost. A residence which includes unfinished areas (i.e. an area designed or intended to be

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completed or refurbished and used as living space, such as the lower level of a tri-level residence or the upstairs of a Cape Cod) shall be deemed incomplete, and the costs of finishing such areas must be included in the acquisition cost. (See Acquisition Cost Worksheet, Section II Exhibit G, item 4).

(3) Where the eligible dwelling is subject to a ground rent, the capitalized value of any ground rent calculated using a discount rate equal to the yield of the VHDA bonds from which the mortgage loan was made. VHDA will supply bond yield information to PDS Agents on request for the purpose of calculating capitalized ground rent.

(4) The cost of land on which the eligible dwelling is located and which has been owned by the eligible borrower for a period no longer than ~~2~~ two years prior to the construction of the structure comprising the eligible dwelling.

b. Acquisition cost does not include:

(1) Usual and reasonable settlement or financing costs. Such excluded settlement costs include title and transfer costs, title insurance, survey fees and other similar costs. Such excluded financing costs include credit reference fees, legal fees, appraisal expenses, points which are paid by the eligible borrower, or other costs of financing the residence. Such amounts must not exceed the usual and reasonable costs which otherwise would be paid. Where the buyer pays more than a pro rata share of property taxes, for example, the excess is to be treated as part of the acquisition cost.

(2) The imputed value of services performed by the eligible borrower or members of his family (brothers and sisters, spouse, ancestors and lineal descendants) in constructing or completing the residence.

3. Acquisition cost worksheet. The PDS Agent is required to obtain from each eligible borrower a completed acquisition cost worksheet which shall specify in detail the basis for the purchase price of the eligible dwelling, calculated in accordance with this ~~Section~~ Subsection B. The PDS Agent shall assist the eligible borrower in the correct completion of the worksheet. The acquisition cost worksheet of the eligible borrower shall constitute part of the borrower affidavit required to be submitted with the loan submission. The seller affidavit shall also certify as to the acquisition cost of the eligible dwelling on the worksheet.

4. Review by PDS Agent. The PDS Agent shall determine that the acquisition cost of the eligible dwelling does not exceed the Authority's sales price limit shown in ~~Section 1-3~~ § 2.4 . If the acquisition cost exceeds such limit, the PDS Agent must contact VHDA to determine if the residence is an eligible

dwelling. As part of its review, the PDS Agent must review the acquisition cost worksheet submitted by each mortgage loan applicant , and the appraiser report , and must certify to VHDA that it is of the opinion that the acquisition cost of the eligible dwelling has been calculated in accordance with this ~~Section~~ Subsection B. In addition, the PDS Agent must compare the information contained in the acquisition cost worksheet with the information contained in the seller affidavit and other sources and documents such as the contract of sale for consistency of representation as to acquisition cost.

5. Independent appraisal. VHDA reserves the right to obtain an independent appraisal in order to establish fair market value and to determine whether a dwelling is eligible for the mortgage loan requested.

~~1-2-3~~ § 2.3. Targeted areas.

A. General.

In accordance with the Mortgage Subsidy Bond Tax Act of 1980, VHDA will make a portion of the proceeds of an issue of its bonds available for financing eligible dwellings located in targeted areas for at least one year following the issuance of a series of bonds. VHDA will exercise due diligence in making mortgage loans in targeted areas by advising PDS Agents and certain localities of the availability of such funds in targeted areas and by advising potential eligible borrowers of the availability of such funds through advertising and/or news releases. The amount, if any, allocated to a PDS Agent exclusively for targeted areas will be specified in the Forward Commitment Agreement.

B. Eligibility.

Mortgage Loans for eligible dwellings located in targeted areas must comply in all respects with the requirements in ~~Section 1-2~~ § 2.2 and elsewhere in this guide for all mortgage loans, except for the three-year requirement in ~~Section 1-2-1(B)~~ § 2.2.1 B .

1. Definition of targeted areas.

a. A targeted area is an area which is a qualified census tract, as described in ~~A- 1.~~ below, or an area of chronic economic distress, as described in ~~B: 2.~~ below.

~~A- b.~~ A qualified census tract is a census tract in the Commonwealth in which 70% or more of the families have an income of 80% or less of the state-wide median family income based on the most recent "safe harbor" statistics published by the U.S. Treasury. Maps indicating the location of current qualified census tracts will be supplied to the PDS Agents by VHDA.

~~B: c.~~ An area of chronic economic distress is an area designated as such by the Commonwealth and

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approved by the Secretaries of Housing and Urban Development and the Treasury under criteria specified in the Mortgage Subsidy Bond Tax Act of 1980. PDS Agents will be informed by VHDA as to the location of areas so designated.

The applicable maximum allowable sales price for new construction shall be increased by the amount of any grant to be received by a mortgagor under the Authority's Solar Home Grant Program in connection with the acquisition of a residence."

1-3 § 2.4. Sales price limits.

The Authority's *maximum allowable sales price limits* are shown on the following page prices shall be as follows:

1-4 § 2.5. Net worth.

To be eligible for VHDA financing, an applicant cannot have a net worth exceeding \$20,000 plus an additional \$1,000 of net worth for every \$5,000 of adjusted income over \$20,000.

MAXIMUM ALLOWABLE SALES PRICES
Applicable to all bond issues except
1981A (13.7%), 1982A (13.85%) and
"blend" of 1982A and 1982B (11.75%)*

	New <u>Construction</u>	Substantial <u>Rehabilitation</u>	<u>Existing</u>
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Any income producing assets needed as a source of income in order to meet the minimum income requirements for an Authority loan will not be included in the applicant's net worth for the purpose of determining whether this net worth limitation has been violated.

Northern-Virginia
Planning-District
Washington, DC-MD-
VA MSA

1/	\$ 85,600**	\$ 85,600**	\$ 79,700**
Norfolk-Virginia Beach Newport News MSA			
2/	\$ 73,100	\$ 68,300	\$ 58,500
Remainder of State			
3/	\$ 61,100	\$ 56,500	\$ 51,600

1-5 § 2.6. Income Requirements.

A. Maximum Income.

The maximum adjusted incomes for eligible borrowers are shown on the following page shall be as follows:

MAXIMUM ALLOWABLE ADJUSTED INCOMES

Applicable to all bond issues except
1981A (13.7%), 1982A (13.85%) and
"blend" of 1982A and 1982B (11.75%)*

	New <u>Construction</u>	Substantial <u>Rehabilitation</u>	<u>Existing</u>
--	----------------------------	--------------------------------------	-----------------

Northern-Virginia
Planning-District
Washington, DC-MD-VA
MSA

1/	\$ 40,000**	\$ 40,000**	\$ 37,300**
Norfolk-Virginia Beach Newport News MSA			
2/	\$ 34,300	\$ 34,300	\$ 28,400
Remainder of State			
3/	\$ 29,400	\$ 29,400	\$ 27,200

1/ Includes: Alexandria City, Fairfax City, Falls Church City, Manassas City, Manassas Park City, Arlington County, Fairfax County, Loudoun County, Prince William County, Stafford County.

2/ Includes: Chesapeake City, Norfolk City, Portsmouth City, Suffolk City, Virginia Beach City, Hampton City, Newport News City, Poquoson City, Williamsburg City, Gloucester County, James City County, York County.

3/ Any jurisdiction not a part of the Northern Virginia Planning District Washington, DC-MD-VA MSA or the Norfolk-Virginia Beach-Newport News MSA.

* NOTE: For information regarding maximum allowable sales prices of residences financed by the 1981A (13.7%), 1982A (13.85%) or "blend" of 1982A and 1982B (11.75%), please contact the VHDA Staff.

** For mortgage loans to be financed by 1980 Series B Bonds (12.5%) or by any of the Residential Mortgage Bonds (10.42%, 10.67%, 10.84%, 10.77% and 10.61%) issued prior to 1985, the maximum allowable sales prices for new construction and substantial rehabilitation shall be \$104,200 and for existing shall be \$90,300.

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1/ Includes: Alexandria City, Fairfax City, Falls Church City, Manassas City, Manassas Park City, Arlington County, Fairfax County, Loudoun County, Prince William County, *Stafford County*.

2/ Includes: Chesapeake City, Norfolk City, Portsmouth City, Suffolk City, Virginia Beach City, Hampton City, Newport News City, Poquoson City, Williamsburg City, Gloucester County, James City County, York County.

3/ Any jurisdiction not a part of the ~~Northern Virginia Planning District~~ *Washington, DC-MD-VA-MSA* or the Norfolk-Virginia Beach-Newport News MSA.

* NOTE: For information regarding the maximum allowable adjusted incomes of persons or families acquiring residences financed by 1981 Series A (13.7%), 1982 Series A (13.85%) and "blend" of 1982A and 1982B (11.75%), please contact the VHDA Staff.

** For mortgage loans to be financed by 1980 Series B Bonds (12.5%) or by any of the Residential Mortgage Bonds (10.42%, 10.67%, 10.84%, 10.77%, and 10.61%) issued prior to 1985, the maximum allowable adjusted incomes for new construction and substantial rehabilitation shall be \$49,200 and for existing shall be \$43,400.

B. Minimum income.

An applicant is eligible for VHDA financing if the monthly principal and interest, tax, insurance (PITI) and other additional monthly fees such as condominium assessments, townhouse assessments, etc. do not exceed 32% of monthly gross income. Also, the applicant is eligible when monthly PITI plus outstanding monthly installment loans with more than 6 six months duration do not exceed 40% of monthly gross income. (See Section II, Exhibit B)

1-6 § 2.7. Calculation of loan amount.

Single family detached residence and townhouse (fee simple ownership) - Maximum of 95% of the lesser of the sales price or appraised value, except as may otherwise be approved by the Authority.

Condominiums - 95% of the sales price or appraised value, whichever is less.

For the purpose of the above calculations, the value of personal property to be conveyed with the residence shall be deducted from the sales price. (See Exhibit R for examples of personal property.) Also, the value of personal property included in the appraisal must be deducted from the appraised value. (See Appraiser Report, Section II, Exhibit H.)

1-7 § 2.8. Mortgage insurance requirements.

Unless the loan is insured or guaranteed by FHA or

VA, the borrower is required to purchase at time of loan closing full private mortgage insurance (25% to 100% coverage, as the Authority shall determine) on all loans which exceed 80% of the lesser of sales price or appraised value. The PDS Agent is required to escrow for annual payment of mortgage insurance. If VHDA requires FHA or VA insurance, the loan will be closed in the PDS Agent's name and purchased by VHDA once the FHA Certificate of Insurance of VA Guaranty has been obtained. In the event VHDA purchases an FHA or VA insured loan, the PDS Agent must enter into a purchase and sale agreement. (See Section II, Exhibit C.)

1-8 § 2.9. Underwriting.

A. Employment and income.

B. Length of employment.

1. The applicant must be employed a minimum of six months with present employer. An exception to the six-month requirement can be granted by VHDA if it can be determined that the type of work is similar to previous employment and previous employment was of a stable nature.

C. Self-employed applicants.

1. Any self-employed applicant must have a minimum of two years of self-employment with the same company and in the same line of work. The following information is required at the time of application:

1- a. Federal income tax returns for the two most recent tax years.

2- b. Balance sheets and profit and loss statements prepared by an independent public accountant.

In determining the income for a self-employed applicant, income will be averaged for the two-year period.

D. Income derived from sources other than primary employment.

E. Alimony and child support.

1. A copy of the legal document and sufficient proof must be submitted to VHDA verifying that alimony and child support are court ordered and are being received.

F. Social security and other retirement benefits.

Social Security Form No. SSA 2458 must be submitted to verify that applicant is receiving social security benefits. Retirement benefits must be verified by receipt or retirement schedules. VA disability benefits must be verified by the VA educational benefits and social security benefits for dependents 15 years or older are not accepted

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as income in qualifying an applicant for a loan.

G. Part-time employment.

Part-time employment must be continuous for a minimum of ~~6~~ six months. Employment with different employers is acceptable so long as it has been uninterrupted for a minimum of six months. Part-time employment as used in this section means employment in addition to full-time employment.

Part-time employment as the primary employment will also be required to be continuous for six months.

NOTE: Under the Mortgage Subsidy Bond Tax Act of 1980, no part of the residence may be used in a trade or business.

H. Overtime, commission and bonus.

Overtime earnings must be guaranteed by the employer or verified for a minimum of two years. Bonus and commissions must be reasonably predictable and stable and the applicant's employer must submit evidence that they have been paid on a regular basis and can be expected to be paid in the future.

I. Credit.

VHDA requires that an applicant's previous credit experience be satisfactory. Poor credit references without an acceptable explanation will cause a loan to be rejected. Satisfactory credit references are considered to be one of the most important requirements in order to obtain a VHDA loan.

J. Bankruptcies.

An applicant will not be considered for a loan if the applicant has been adjudged bankrupt within the past two years. If longer than two years, the applicant must submit a written explanation giving details surrounding the bankruptcy. VHDA has complete discretion to decline a loan when a bankruptcy is involved.

K. Judgments.

An applicant is required to submit a written explanation for all judgments. Judgments must be paid before an applicant will be considered for a VHDA loan.

~~1-9~~ § 2.10. Funds necessary to close.

A. Cash.

Funds necessary to pay the downpayment and closing costs must be deposited at the time of loan application. VHDA does not permit the applicant to borrow funds for this purpose. If the funds are being held in an escrow account by the real estate broker, builder or closing attorney, the source of the funds must be verified. A

verification of deposit from the parties other than financial institutions authorized to handle deposited funds is not acceptable.

B. Gift letters.

A gift letter is required when an applicant proposes to obtain funds from a third party. The gift letter must confirm that there is no obligation on the part of the borrower to repay the funds at any time. The party making the gift must submit proof that the funds are available. This proof should be in the form of a verification of deposit.

C. Housing expenses.

Proposed monthly housing expenses compared to current monthly housing expenses will be reviewed carefully to determine if there is a substantial increase. If there is a substantial increase, the applicant must demonstrate his ability to pay the additional expenses.

~~1-10~~ § 2.11. Loan assumptions, leasing, terms and owner occupancy.

A. Loan assumptions.

VHDA does not currently permit loan assumptions, except that loan assumptions shall be permitted with respect to mortgage loans financed from the proceeds of the Authority's single-family bonds issued on or after December 17, 1981, (loans numbered 40,000 and on) if the requirements set forth in Sections ~~1-2-1-B~~ § 2.2.1 B and C and ~~1-2-2-B~~ § 2.2.2. B herein are satisfied and if the assumption satisfies the VHDA underwriting criteria set forth herein. Such policy of permitting loan assumptions is subject to change at any time without notice by the Authority in its discretion.

B. Leasing.

The owner may not lease the property without VHDA's prior written consent.

C. Loan term.

Loan terms may not exceed 30 years.

D. Owner occupancy.

No loan will be made unless the residence is to be occupied by the owner as the owner's principal residence.

~~1-11~~ § 2.12. Preparation of application package.

A. The application package submitted to VHDA for approval must contain the following:

1. Reservation card.
2. Application - the application must be made on

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Virginia Housing's approved application form.

3. Preliminary underwriting form.
4. Credit report issued by local credit bureau and miscellaneous information as applicable - explanation of bankruptcies, etc., (and any additional documentation).
5. Verification of employment (and any additional documentation).
6. Verification of other income.
7. Verification of deposits (and any additional documentation).
8. Gift letters (and verification).
9. Sales contract - contract must be signed by seller and all parties entering into the contract and state which parties are paying points and closing costs.
10. Appraisal (FHLMC # No. 70) - form should be FNMA or FHLMC and should be completed by an appraiser who has been approved by FHLMC or a private mortgage insurer acceptable to Virginia Housing or who has a certification from a trade organization approved by Virginia Housing (photos and required supporting documentation).
11. Loan submission cover letter.
12. Appraiser's report.
13. Acquisition cost worksheet.
14. Affidavit of seller.
15. Affidavit of borrower.
16. Federal income tax returns - copy of borrower's federal income tax returns to the extent required by Item 10 in the affidavit of borrower. (NOTE: If a letter from the IRS is to be delivered pursuant to paragraphs ~~1-2.1-B3~~ § 2.2.1 B3 of the Processing, Disbursing Guide, such letter must be enclosed herewith).
17. Checklist for certain requirements of the Mortgage Subsidy Bond Tax Act of 1980.
18. Signed request for copy of tax returns (# No. 4506).
19. HUD information booklet - acknowledgement by applicant of receipt of HUD information booklet and estimate of the charges the borrower is likely to incur as required by the Real Estate Settlement Procedures Act of 1974, the Real Estate Settlement Procedures Act Amendments of 1975 (RESPA), and Regulations Z

(Truth-In-Lending) as amended April 1, 1981. Acknowledgement can be made part of the application or can be a separate statement. Applicant must receive HUD information book the day application is made.

20. ECOA notice statement to borrower of provisions of the Equal Credit Opportunity Act, with borrower's acknowledgement of receipt.

21. Truth-in-lending disclosure.

After the application package has been completed, it should be forwarded to:

Single Family Division
Virginia Housing Development Authority
13 South 13th Street
Richmond, VA. 23219

~~1-12~~ § 2.13. Commitment.

Upon approval of the applicant, VHDA will send a mortgage loan commitment (see Section II, Exhibit J) to the borrower in care of the agent. Also enclosed in this package will be other documents necessary for closing. The PDS Agent shall ask the borrower to indicate his acceptance of the mortgage loan commitment by signing and returning it to the agent. A commitment must be issued in writing by an authorized officer of VHDA and signed by the applicant before a loan may be closed.

§ 2.13.1. Loan rejection.

If the borrower fails to meet VHDA underwriting criteria or if the property fails to meet VHDA property standards, a loan rejection letter will be issued by VHDA (see Section II, Exhibit L). If the application is resubmitted, the credit documentation cannot be more than 90 days old and the appraisal more than six months old.

~~1-13~~ § 2.14. Loan settlement.

A. Loan closing.

Upon the borrower's acceptance of the mortgage loan commitment, the PDS Agent will send VHDA's letter of closing instructions (see Section II, Exhibit N) and the closing papers to the closing attorney. The PDS Agent should thoroughly familiarize himself with the closing instructions and should fill in all blanks such as per diem interest, appraisal fee, credit report charges to be collected at closing, and any special requirements of the commitment before the closing instructions are forwarded to the closing attorney. VHDA will provide the PDS Agent with the documents which the closing attorney is required to complete. After VHDA reviews the closing attorney's preliminary work and approves closing, a loan proceeds check will be sent to the the closing attorney or firm named in the commitment or binder as approved under

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the issuing company's insured closing service, along with additional closing instructions (see Section II, Exhibit M). Closing attorneys may use loan proceeds checks when in a position to conduct the loan closing and disburse proceeds in accordance with Virginia Housing's letter authorizing the closing and instructions previously issued by the PDS Agent. It is the PDS Agent's responsibility to see that all documents and checks are received immediately after loan closings and that they are completed in accordance with Virginia Housing's requirements, Regulation Z and ECOA. A certified or cashier's check is to be provided at loan closing for the buy-down points, if any. The check is to be payable to VHDA. Under the applicable federal regulations the original proceeds of the bond issue may not exceed the amount necessary for the "governmental purpose" thereof by more than ~~5%~~ five percent. Payment of buy-down points out of mortgage loan proceeds would be using bond proceeds to pay interest rather than the proper "governmental purpose" of making mortgage loans. Therefore, it is required that buy-down fees be paid from the seller's own funds. Buy-down points may not be deducted from loan proceeds.

B. Post-closing requirements.

In accordance with Section § 9 of the PDS Agreement, all post-closing documents, including the post-closing cover letter (see Section II, Exhibit P), should be forwarded as follows to:

Single Family Division
Post-Closing Section
Virginia Housing Development Authority
13 South 13th Street
Richmond, VA. 23219

Within ~~(5)~~ five days after the closing of the loan, the PDS Agent must forward the fees, interest and any other money due VHDA, a repayment of VHDA's outstanding construction loan, if any, PMI affidavit and all closing documents except the original recorded deed of trust and title insurance policy.

Within ~~forty-five~~ (45) days after loan closing, the PDS Agent shall forward to VHDA the original recorded deed of trust and title insurance policy.

During the 120-day period following the loan closing the agent shall review correspondence, checks and other documents received from the borrower for the purpose of ascertaining that the address of the property and the address of the borrower are the same, and also to ascertain any change of address during such period and shall notify VHDA if such addresses are not the same or if there is any such change of address. Subject to VHDA's approval, the PDS agent may establish different procedures to verify compliance with the principal residence requirement in ~~1-2-1-C~~ § 2.2.1.C. In the event the agent at any time otherwise becomes aware of the fact that any item noted on the checklist for certain requirements of the Mortgage Subsidy Bond Tax Act may

not be correct or proper, the agent shall immediately notify the Authority.

~~1-14~~ § 2.15. Property guidelines - existing housing.

All existing houses must meet the following minimum requirements; however, each house will be reviewed on a case-by-case basis with regard to marketability and security of the loan:

1. 100 amp electrical service is required.
2. No space heaters or circulators are allowed; however, a floor furnace or wall furnace is acceptable in a one-story house if such a furnace adequately heats the house.
3. Pier foundations are considered on a case-by-case basis.
4. All property must be located on a state-maintained road with a minimum frontage of 30 feet. No easements or right-of-ways are allowed as access to properties. House should not be located more than 200 feet from the state-maintained road.
5. Joint ownership of well and septic is not allowed and the well must be on the subject property.
6. Any easements which will adversely affect the marketability of the property, such as high-tension power lines, drainage or other utility easements will be considered on a case-by-case basis.
7. The floor plan must be acceptable with bathrooms and bedrooms centrally located and providing maximum privacy. Primary bathroom locations are not acceptable if the traffic patterns require entrance through another living area (e.g. a bathroom which opens directly into the kitchen).
8. The house must have a sufficient number of bedrooms to properly serve the borrower. Only bedrooms will be used as sleeping quarters, with each bedroom to be occupied by no more than two persons.
9. Mobile homes are not acceptable.

~~1-15~~ § 2.16. Property guidelines - New construction.

A. All new homes must meet the Uniform Statewide Building Code (the "Code") and the Department of Housing and Urban Development Minimum Property Standards (MPS) in addition to the following VHDA underwriting requirements:

1. Minimum of 4/12 pitch roof.
2. Storm windows or double glazed windows are required.

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3. Insulated exterior doors or storm doors are required.
4. All property must be located on state-maintained roads.
5. Energy package in conformance with FHMA energy standards.
6. Mobile homes are not acceptable.

B. Also, the following standards are preferred:

1. All ceilings and 75% of the walls be 1/2 " inch drywall or plaster.
2. Kitchen cabinets should comply with the following: doors should be a minimum of 5/8 " inch and end panels should be a minimum of 1/2 " inch thick. Materials should be wood or plywood. All stiles and rails should be of wood. Drawer fronts should be a minimum of 5/8 " inch and sides should be a minimum of 3/8 " inch wood or plywood, bottoms should be 1/4 " inch plywood. Shelves should be a minimum of 5/8 " inch wood, plywood or particle board. Plywood and particle board shelves should have edging.
3. Ceiling height of 8 eight feet or greater.
4. Pier foundations are discouraged except where brick or block curtain wall completely covers piers.
5. Insulated sheathing.
6. If vertical siding is used, fir, cedar or redwood is preferred.
7. Fiberglass insulation in ceiling, floor and wall.
8. The use of wood foundations is discouraged unless the type of construction results in substantial savings to be passed on to the buyer.
9. Hardwood floors unless a 30 - ounce carpet is used.

~~1-16~~ § 2.17. Substantially rehabilitated.

A. For the purpose of qualifying as substantially rehabilitated housing under Virginia Housing's maximum sales price limitations, the housing unit must meet the following ~~definition~~ definitions :

1. Substantially rehabilitated means improved to a condition which meets VHDA underwriting/property standard requirements from a condition requiring more than routine or minor repairs or improvements to meet such requirements. The term includes repairs or improvements varying in degree from gutting and extensive reconstruction to cosmetic improvements which are coupled with the cure of a substantial

accumulation of deferred maintenance, but does not mean cosmetic improvements alone.

2. For these purposes a substantially rehabilitated housing unit means a dwelling unit which has been substantially rehabilitated and which is being offered for sale and occupancy for the first time since such rehabilitation. The value of the rehabilitation must equal at least 25% of the total value of the rehabilitated housing unit.

3. The appraisal submitted with the loan application, must list the improvements and estimate the value of the improvements. Virginia Housing's staff will inspect each house submitted as substantially rehabilitated to ensure compliance with our underwriting-property standards.

4. VHDA will only approve rehabilitation loans to eligible borrowers who will be the first resident of the residence after the completion of the rehabilitation. As a result of the Mortgage Subsidy Bond Tax Act of 1980, the proceeds of VHDA cannot be used to refinance an existing mortgage, as explained in ~~Section 1-2.1(D)~~ § 2.2.1.D. (New mortgage requirement). VHDA will approve loans to cover the purchase of a residence, including the rehabilitation:

~~1.~~ a. Where the eligible borrower is acquiring a residence from a builder or other seller who has performed a substantial rehabilitation of the residence; and

~~2.~~ b. Where the eligible borrower is acquiring an unrehabilitated residence from the seller and the eligible borrower contracts with others to perform a substantial rehabilitation or performs the rehabilitation work himself prior to occupancy.

~~1-17~~ § 2.18. Condominium requirements.

A. Policy on condominiums.

1. The PDS Agent must provide evidence that the condominium is approved by any two of the following: FNMA, FHLMC or VA. The PDS Agent must submit evidence at the time the borrower's application is submitted to Virginia Housing for approval.

2. At the time the borrower's loan application is submitted for the financing of a unit in any condominium in which Virginia Housing has not previously financed the purchase of any units, Exhibit U providing basic information about the condominium must be completed by the Unit Owners Association. The most recent financial statement and operating budget of the condominium (or, in the case of a newly constructed or converted condominium, a copy of the projected operating budget and a copy of the most recent financial statement, if any) must also be submitted. Virginia Housing will review the above

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described form and financial information. If on the basis of such review Virginia Housing finds the condominium to be acceptable, the condominium will be approved and the individual loan application will be processed. Exhibit U requires that the Unit Owners Association agree to submit to Virginia Housing upon its request, the condominium's annual financial statements, operating budget and other information as Virginia Housing may require. The association is also required to agree that Virginia Housing shall have a right to inspect the condominium and its records. The form states that failure to comply with the foregoing shall be grounds for Virginia Housing's termination of its approval of the condominium.

3. Each year Virginia Housing will send Exhibit V to the Unit Owners Association requesting information concerning the condominium including a statement as to the status of the VA, FNMA and/or FHLMC approvals and a copy of the condominium's financial statement and operating budget. The Association will be advised that if the request for information is not received within 90 days from the date of the request, Virginia Housing may terminate its approval of the condominium. Virginia Housing will review the financial statement and operating budget and the questionnaire and if the condominium remains in satisfactory condition, Virginia Housing will continue to make mortgage loans on the units subject to the limitations in paragraph 4 below. In the event Virginia Housing determines a condominium is not in satisfactory condition, the Unit Owners Association will be given 60 days to correct the deficiencies. If the deficiencies are not corrected to the satisfaction of Virginia Housing, the condominium will no longer be approved for financing. The requirements and procedures in this section will also apply to condominiums previously approved by Virginia Housing.

4. If a condominium is approved by FNMA, Virginia Housing will make mortgage loans on no more than 50% of the units in the condominium. If the condominium is not approved by FNMA, Virginia Housing will make mortgage loans on no more than 25% of the units in the condominium. If a condominium is to be phased, the foregoing percentage limits will be applied to each phase until all phases are completed. If the condominium has been previously approved by Virginia Housing and exceeds the foregoing percentage limitations, Virginia Housing will make no further mortgage loans for the purchase of the units in the condominium until such time as its percentage limits are no longer violated.

BOARD OF HOUSING AND COMMUNITY DEVELOPMENT

Title of Regulation: VR 394-01-21. Virginia Uniform

Statewide Building Code, Volume I - New Construction Code/1984.

Statutory Authority: §§ 36-97 - 36-107 of the Code of Virginia.

Public Hearing Date: September 16, 1985 - 11 a.m.
(See Calendar of Events
for additional information)

NOTICE

Due to its length the proposed 1984 Edition of the **Virginia Uniform Statewide Building Code, Volume I - New Construction Code**, filed by the Division of Building Regulatory Services, Department of Housing and Community Development, is not being published. However, in accordance with § 9-6.14:22 of the Code of Virginia, a summary and proposed amendments are being published in lieu of the full text. The full text of the regulation is available for public inspection at the office of the Registrar of Regulations and the Department of Housing and Community Development.

Summary:

The Board of Housing and Community Development proposes to replace the 1981 edition of the Virginia Uniform Statewide Building Code (USBC) with a 1984 edition. It will be retitled as Volume I - New Construction Code/1984 edition. The 1984 edition of the USBC represents a change in organization and format from the 1981 edition. Requirements of the USBC are now divided into three volumes: (i) Volume I - New Construction Code; (ii) Volume II - Building Maintenance Code; and (iii) Volume III - Fire Prevention Code.

In the April 15, 1985, Volume I, Issue 14 of the Virginia Register of Regulations, the Board of Housing and Community Development gave public notice of its intention to amend and replace the 1981 edition of the Virginia Uniform Statewide Building Code with a 1984 edition.

Since publication the State Health Commissioner has recommended that further changes be made to deal with a health hazard discovered in an extensive study of lead in drinking water. Excessive levels of lead were found in a significant number of buildings tested, according to the report. The Commissioner recommended that the Building Code be revised to prohibit the use of 50/50 lead solder or lead-containing fluxes in new construction.

In response to the Commissioner's report, the Board of Housing and Community Development now proposes to make additional changes to address this health hazard. The changes will apply to Article 22, Plumbing Systems, of Addendum 1 and to Part V, Plumbing, of

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Addendum 2 of the proposed Uniform Statewide Building Code, as follows:

VR 394-01-21. Virginia Uniform Statewide Building Code, Volume I - New Construction Code/1984.

1. Add the following items to § 2200.1 of Article 22, Plumbing Systems, of Addendum 1:

Revise § P-502.7.3 to read as follows:

P-501.7.3 Soldered joints: All joint surfaces shall be cleaned by approved procedure. An approved flux shall be applied. Solder conforming to ASTM B32 listed in Appendix A shall be applied, *except that solder or flux containing lead shall not be used in water service or water distribution piping.* The joint shall be made by heating to the proper temperature.

Revise § P-501.8.4 to read as follows:

P-501.8.4 Soldered joints: All joint surfaces shall be cleaned by approved procedure. An approved flux shall be applied. solder conforming to ASTM B32 listed in Appendix A shall be applied, *except that solder or flux containing lead shall not be used in water service or water distribution piping.* The joint shall be made by heating to the proper temperature.

Change § P-2104.4 to read as follows:

P-2104.4 Joints and Connections: Joints in polybutylene (PB) plastic pipe or tubing underground shall be prohibited. Joints in copper pipe or tube installed in a concrete floor slab or under a concrete floor slab on grade shall be installed using wrought copper fittings and brazed joints. *All other joints in copper pipe or tube shall be made by the appropriate use of case bronze or wrought copper fittings, fluxed and made with solder conforming to ASTM B32, except that solder or flux containing lead shall not be used in water service and water distribution piping.*

2. Add the following change to the list of proposed changes to Chapter 21 of Part V, Plumbing, of Addendum 2:

Revise § P-2104.4 to read:

P-2104.4 Joints and Connections: Joints in polybutylene (PB) plastic pipe or tubing underground shall be prohibited. Joints in copper pipe or tube installed in a concrete floor slab or under a concrete floor slab on grade shall be installed using wrought copper fittings and brazed joints. *All other joints in copper pipe or tube shall be made by the appropriate use of case bronze or wrought copper fittings, fluxed and made with solder conforming to ASTM B32, except that solder or flux containing lead shall not be used in water service and water distribution piping.*

Title of Regulations: VR 394-01-31. Virginia Industrialized Building and Mobile Home Safety Regulations.

Statutory Authority: §§ 36-70 and 36-85.1 of the Code of Virginia.

Public Hearing Date: September 16, 1985 - 11 a.m.
(See Calendar of Events Section for additional information)

Summary:

The Virginia Industrialized Building and Mobile Home Safety Regulations provide for the administration and enforcement of uniform, statewide, health and safety standards for manufactured buildings and mobile homes, wherever produced. A major purpose of the regulation is to make good quality housing more affordable for residents of Virginia. It does so by providing pre-certification of manufactured buildings that contain concealed parts which can not be readily inspected at the point of use. Such units must be accepted by the local building official without disassembly. The enforcement system includes: (a) State accreditation, use, and monitoring of independent third-party inspection agencies to review the design of manufactured buildings and to inspect their production for code compliance, (b) assignment of responsibility for safe installation to local building departments, and (c) State action to secure correction of defects discovered after installation.

In the April 15, 1985, Volume I, Issue 14, of the Virginia Register of Regulations, the Board of Housing and Community Development gave public notice of its intention to amend and replace the 1981 edition of the Virginia Industrialized Building Unit and Mobile Home Safety Regulations with a 1984 edition.

Since publication of that notice, the State Health Commissioner has recommended that further changes be made to deal with a health hazard discovered in an extensive study of lead in drinking water. Excessive levels of lead were found in a significant number of buildings tested, according to the report. The Commissioner recommended that the state building regulations be revised to prohibit the use of 50/50 lead solder or lead-containing fluxes in new construction.

In response to the Commissioner's report, the Board of Housing and Community Development now proposes to make additional changes to address this health hazard. The changes will apply to §§ 301.2 and to 301.4 of the proposed Industrialized Building Unit and Mobile Home Safety Regulations.

VR 394-01-31. Virginia Industrialized Building and Mobile Home Safety Regulations.

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1981 1984 EDITION
VIRGINIA INDUSTRIALIZED BUILDING AND
MOBILE HOME SAFETY REGULATIONS

PART I
INDUSTRIALIZED BUILDINGS AND MOBILE HOMES
NOT SUBJECT TO FEDERAL REGULATIONS.

Article 1.
Administration.

Section ~~101.0~~ 100.0. General.

~~101.1~~ § 100.1. Title: Articles 1 through 5 of the State these Regulations shall be known and may be cited as the Virginia Industrialized Building and Mobile Home Safety Regulations - PART ONE. Except as otherwise indicated, Regulations, or these Regulations, as used in Articles 1 through 5, shall mean the Virginia Industrialized Building and Mobile Home Safety Regulations - PART ONE.

§ 100.2. Authority: These regulations are adopted according to the authority granted the Board of Housing and Community Development by the Virginia Industrialized Building Unit and Mobile Home Safety Law, Chapter 4, Title 36, Code of Virginia.

§ 100.3. Adoption: The Virginia Industrialized Building and Mobile Home Safety Regulations were adopted by order of the Board of Housing and Community Development on (.....). This order was prepared according to the requirements of the Administrative Process Act. The order is maintained as part of the records of the Department of Housing and Community Development, and is available for public inspection.

~~101.2~~ § 100.4. Application: PART ONE shall apply to industrialized building units buildings and mobile homes, as defined in Section ~~100.0~~ 200.0, that are not subject to Federal regulations.

~~101.3~~ § 100.5. Effective date: The effective date of PART ONE of these Regulations is July 16, 1982 (to be inserted).

~~101.3.1~~ § 100.5.1. Compliance after effective date: No person, firm or corporation shall offer for sale or rental, or sell or rent, any industrialized building unit or mobile home which has been produced after the effective date of any provision of these Regulations unless it conforms with such provision of the Regulations.

~~101.3.2~~ § 100.5.2. Local regulations: Nothing in these Regulations shall prevent the local adoption of requirements for industrialized building units buildings or mobile homes produced before the effective date of these Regulations where necessary to provide for adequate safety to life, health and property.

§ 100.6. Continued compliance: Industrialized buildings and mobile homes subject to any edition of these Regulations when constructed shall be maintained in compliance with

the applicable edition by the owners and/or occupants.

§ 100.7. Purpose: The purpose of the Virginia Industrialized Building and Mobile Home Safety Regulations is to ensure safety to life, health, and property through compliance with uniform statewide construction standards for industrialized buildings and enforcement regulations for mobile homes.

Section ~~102.0~~ 101.0. Enforcement Generally.

~~102.1~~ § 101.1. General: These Regulations shall be enforced as prescribed authorized by Chapter ~~103~~, Acts of Assembly, 1971, and Chapter ~~613~~, Acts of Assembly, 1977 Title 36, Chapter 4, Code of Virginia, as amended. (Note: See Addendum 3, "Virginia Industrialized Building Unit and Mobile Home Safety Law.")

~~102.2~~ § 101.2. Inspection and enforcement: The Office of Industrialized Building Code is designated as the Board's Board of Housing and Community Development's (the Board) representative for the enforcement of these Regulations; it shall have authority to make such inspections and to take such other actions as are required to enforce the Regulations.

~~102.2.1~~ § 101.2.1. Monitoring Factory inspections: The Board's representative shall, during reasonable hours, make such inspections of factories producing industrialized building units buildings or mobile homes as many be necessary to determine whether the approved testing facility having jurisdiction is performing its evaluation and compliance assurance functions in a satisfactory manner.

~~102.2.2~~ § 101.2.2. Field inspections: The Board's representative may, during reasonable hours, make such inspections as are necessary to determine whether industrialized building units and buildings or mobile homes, not at the time occupied as a dwelling dwellings, are in compliance with these Regulations. Such inspections may include but are not limited to: industrialized building units buildings and mobile homes on dealer lots, or industrialized buildings and mobile homes that are otherwise offered for sale to the public. Industrialized building units and buildings or mobile homes that are occupied as a dwelling dwellings may be examined from the exterior for the presence of labels and registration seals required by Article 5 of these Regulations or may be inspected at the request of the owners or occupants.

~~102.2.3~~ § 101.2.3. Orders of compliance Notice of Violation: Wherever Where such representative shall find finds any violations violation of the provisions of these Regulations, a notice of violation shall be issued. he This notice of violation shall order the party responsible therefor to bring the unit into compliance, within a reasonable time; to be fixed in the order. If the party cited shall feel aggrieved, he may within ten days after notice of such order, appeal to the Board and the cause of his complaint shall be at once investigated by the Board, and unless its authority under such order is revoked, the same shall

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remain in force and be complied with by such party.

~~102.2.4~~ § 101.2.4. Placarding ~~non complying~~ units in violation: Wherever the Board's representative ~~shall find~~ finds any violations of the Regulations, placards may be required on ~~he may require~~ the noncomplying unit to be conspicuously placarded. Such placards shall not be removed except upon permission of the Board's representative. The placard shall list the violations and may prohibit the use of any unit, not at the time occupied as a dwelling, until the necessary corrections have been made.

§ 101.2.5. Appeals to notice of violation: Parties aggrieved by the findings of the notice of violation may appeal to the Board, which shall investigate the complaint. The aggrieved party must file the appeal within ten days of the receipt of the notice of violation. Unless the notice of violation is revoked by the Board, the aggrieved party must comply with stipulations of the notice of violation.

~~102.3~~ § 101.3. Referral to local building officials: If the nature of the violation is such that it may be remedied under Section ~~102.0~~ 102.0 of these Regulations, the Board's representative may refer the matter to the local building official for enforcement.

~~102.4~~ § 101.4. Limitation of manufacturers liability: The manufacturer of the unit shall not be required to remedy violations caused by on-site work by others not under his control or violations involving components and materials furnished by others and not included with the unit.

~~102.5~~ § 101.5. Penalty for violation: Any person, firm or corporation violating any provisions of these rules and Regulations shall be subject to the penalties prescribed by considered guilty of a misdemeanor and, upon conviction, shall be fined not more than \$500.00 (§ 36-83 of the Code of Virginia.)

Section ~~102.0~~ 102.0. Enforcement in Localities.

~~102.1~~ § 102.1. Responsibility of local building officials: Every local building official is authorized to and shall enforce the provisions of these Regulations within the limits of his jurisdiction. He shall not permit the use of any industrialized building unit that does not comply with these Regulations.

~~102.2~~ § 102.2. Labeled industrialized building units buildings and mobile homes: Industrialized building units or buildings and mobile homes that are both registered and labeled shall be ~~acceptable~~ accepted in all localities as meeting the requirements of this law, and shall be ~~acceptable~~ accepted as meeting the requirements of safety to life, health and property imposed by any ordinance of any local governing body of this State without further investigation, testing or inspection. Notwithstanding this provision, the local building official is ~~officials are~~ authorized to carry out the following functions applicable that apply to registered, labeled industrialized building

units buildings and mobile homes provided they such functions do not involve disassembly of units or parts thereof of units, or change of design, or result in the imposition of more stringent conditions than those required by the approved testing agency or by these Regulations.

1. He They may, after installation of the unit, verify that it has not been damaged in transit to a degree that would render it unsafe. Where indicated, this may include tests for tightness of plumbing systems and gas piping and tests for shorts at the meter connection in the electrical system.

2. He They may verify that supplemental components required by the label or by these Regulations are properly provided.

3. He They may verify that the instructions of the label for installation and erection are observed.

4. He They may verify that any special conditions or limitations of use that are stipulated by the label pursuant to in accordance with the standards of Articles 2 and Article 3 of these Regulations are observed.

5. He They may require submission and approval of plans and specifications for the supporting structures, foundations including anchorages, and all other components necessary to form the completed building in combination with the labeled units. He They may require such architectural and engineering services as may be specifically authorized by the standards of Articles 2 and Article 3 of these Regulations to assure that the supporting structures, foundations including anchorages, and other components necessary to form the completed building in combination with the labeled units are ~~correctly~~ designed in accordance with these Regulations.

6. He They may enforce applicable requirements of these Regulations for alterations and additions to the units or to the buildings of for which they are component parts, and for their maintenance. As an aid thereto, he, they may require submission of plans and specifications of the model of the unit. Such plans and specifications may be furnished on approved microfilm.

7. Where permitted by the standards of Articles 2 and Article 3, he they may establish local rules that require design for special wind, snow, earthquake and other special local conditions whose existence is verified by authoritative records. Such rules shall not become effective until filed with and approved by the Board.

8. He They may enforce the requirements of the Uniform Statewide Building Code applicable to utility connections, site preparation, fire limits, building permits, certificates of use and occupancy, and all

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other applicable requirements thereof of the USBC , except those governing the design and construction of the labeled units and the design of the buildings of which the labeled units are component parts.

9. He They may verify that the unit bears displays the required State registration seal and the proper label of the approved testing facility.

~~103.3~~ § 102.3. Unlabeled industrialized building units buildings and mobile homes: No unlabeled industrialized building unit or mobile home constructed after the effective date of these Regulations shall be used until it has been inspected by the local building official for compliance with these Regulations. He The building official shall require the units to be in compliance with these Regulations, and he may also require the units to comply with all applicable local regulations. He The building official shall enforce all applicable requirements of these Regulations including those relating to the sale, rental and disposition of noncomplying units. In aid thereof he The building official may require submission of full plans and specifications for each unit and for the completed building of which it is to be a part. He may require concealed Concealed parts of the unit to may be exposed to the extent necessary to permit inspection to determine compliance with the applicable requirements. The government of any locality for which a building official has not been appointed may exercise the powers of enforcement for unlabeled industrialized building units buildings that are granted therein to the local building official, except for inspection.

~~103.3.1~~ § 102.3.1. Unlabeled units industrialized buildings and mobile homes offered for sale: Unlabeled industrialized building units buildings or mobile homes offered for sale by dealers in this State shall be marked by a warning sign to prospective purchasers that the unit is not labeled pursuant to in accordance with these Regulations and must be inspected and approved by the local building official having jurisdiction. The sign shall be of a size and form approved by the Department and shall be conspicuously posted on the exterior of the unit near the main entrance door.

103.4 § 102.4. Disposition of noncomplying units: Where the local building official finds any When a unit that has been delivered for use in his jurisdiction is found to be in violation of these Regulations, he shall the local building official may require the violations to be corrected before such use occupancy of the unit is permitted and he may require the unit to be conspicuously placarded to indicate that it may not be used in this State until the corrections have been made. If the unit is moved to another locality before the violations are corrected, such placard shall not be removed except upon permission of the building official in the new locality. If such locality has no building official, permission shall be obtained from the Department before the placard is removed.

103.5 § 102.5. Report to the Office of Industrialized

Building Code: Where If the unit is moved from the jurisdiction of the local building official before the violations have been corrected, he the local building official shall make a prompt report of the circumstances to the Office of Industrialized Building Code. The report shall include the following:

1. A list of the uncorrected violations.
2. All information contained on the label pertinent to the identification of the unit and , the manufacturer and the approved testing facility.
3. The number of the Department Virginia registration seal.
4. The new destination of the unit, if known.
5. The party responsible for the moving of the unit.
6. Whether the unit was placarded for violation.

Section ~~104.0~~ Variance from 103.0. Modification of the Regulations.

~~104.1~~ § 103.1. When variance modification may be granted: The Board shall have the power upon appeal in specific cases to authorize variances from modification of the Regulations so as to permit certain specified alternatives where the objectives of this law can still be fulfilled by such other means . Such appeals shall be in writing and shall be accompanied by the plans, specifications and other information necessary for an adequate evaluation of the variance modification requested.

~~104.1.1~~ § 103.1.1. Input by local building official: Before any variance a modification is authorized, the local building official having local jurisdiction may be afforded an opportunity to present his views and recommendations.

ARTICLE 2

SAFETY STANDARDS FOR MOBILE HOMES

SECTION 200.0 DESIGN REQUIREMENTS

200.1 Protection against hazards: Mobile homes produced after the effective date of these Regulations shall be reasonably safe for the users thereof and shall provide reasonable protection to the public against the hazards thereof to life, health and property. Compliance with the standards specified in Section 200.2 shall be acceptable evidence of compliance with this provision for mobile homes which are produced during the applicable time periods specified in Section 200.2.

200.2 Reference standards and time limits established: The standards and time limitations specified below are those referred to in Section 200.1:

o ANSI A119.1 (NFPA No. 501B), STANDARD FOR MOBILE HOMES; BODY AND FRAME DESIGN AND

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CONSTRUCTION REQUIREMENTS AND THE INSTALLATION OF PLUMBING, HEATING AND ELECTRICAL SYSTEMS

Published by: American National Standards Institute, 1430 Broadway, New York, New York 10018

Either the 1974 or 1975 Edition, until superseded by the Federal Manufactured Home Construction and Safety Standards, with the following amendment to Part C, Section 11.2.1 - Water Connection: Add the following sentence. A master cold water shut off full flow valve shall be installed on the main feeder line in an accessible area.

200.2.1 Optional standard: The following standard may be used as an option to the standards listed above:

FEDERAL MANUFACTURED HOME CONSTRUCTION AND SAFETY STANDARDS

Published by: U. S. Department of Housing and Urban Development, Federal Register, Volume 40, Number 244, December 18, 1975 (Part 280, Code of Federal Regulations)

No time limit.

Article 2. Definitions.

Section 100-0 200.0. Definitions.

The following words and terms, when used in these Regulations, shall have the following meaning, unless the context clearly indicates otherwise.

"Approved" as applied to a material, device, ~~mode~~ method of construction, labeled unit or as otherwise used in these Regulations means approved by the Board of Housing and Community Development, unless the context clearly indicates another meaning.

"Approved testing facility" means an organization, or an architect or professional engineer registered in Virginia, determined by the Department to be specially qualified by reason of facilities, personnel, experience and demonstrated reliability, to investigate, test and evaluate industrialized ~~building units~~ buildings and mobile homes subject to PART ONE; . *The approved testing facility shall have the ability to list such units complying with standards approved by the Board; to provide adequate follow-up services at the point of manufacture to insure ensure that production units are in full compliance; and to provide a label, seal or other evidence of compliance on each unit. An approved testing facility may utilize the services of other organizations or individuals determined by it to be qualified and reliable in performing any of these functions, provided that the approved testing facility shall be held responsible for all such services.*

"Board" means the Board of Housing and Community Development.

"Federal regulations" means the Manufactured Home Construction and Safety Standards and the procedural and Enforcement Regulations promulgated enacted by the U. S. Department of Housing and Urban Development pursuant to in accordance with the National Manufactured Housing Construction and Safety Standards Act of 1974 (Title VI of Public Law 93-383, 88 Stat. 700, 42 U.S.C. 5401, et seq.).

"Industrialized building" means a finished building in which one or more industrialized building units have been used.

"Industrialized building unit" or "Unit" means a building assembly or system of building sub-assemblies, including the necessary electrical, plumbing, heating, ventilating and other service systems, manufactured off-site and transported to the point of use for installation or erection, with or without other specified components, as a finished building or as a part of a finished building comprising two or more industrialized building units . and not designed for ready removal to or installation or erection on another site. Off-site, as used in this definition, refers to an industrialized building unit produced at any place other than the location in the completed building where it is permanently positioned.

"Labeled" , as applied to an industrialized building unit or mobile home subject to PART ONE, means that the unit has been found by an approved testing facility to be in full compliance with all applicable safety standards specified by the Board; and that the unit has been provided with appropriate evidence of such compliance by an approved, permanently affixed label, seal or similar device; and that the finding of compliance by the approved testing facility has been preceded by appropriate investigation, testing and evaluation of the unit model acceptable to the Board; and that inspections and other quality assurance follow-up services acceptable to the Board have been provided at the point of manufacture to the extent necessary to insure ensure that each labeled production unit complies with PART ONE.

"Local building official" means an official designated by any city, town, or county to enforce structural, plumbing, electrical, mechanical or other building regulations for safety to life, health and property.

"Mobile home" , as used within PART ONE hereof , means an industrialized building unit a structure not subject to Federal regulation ; which is constructed on a chassis for towing to the point of use and designed to be used, with or without a permanent foundation, for continuous year round occupancy as a dwelling; or two or more such units separately towable, but designed to be joined together at the point of use to form a single dwelling, and which is designed for removal to, and installation or erection on other sites. which is transportable in one or more sections; is 8 body feet or

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more in width and 40 body feet or more in length in the traveling mode, or is 320 or more square feet when erected on site; is built on a permanent chassis; is designed to be used as a single-family dwelling, with or without a permanent foundation, when connected to the required utilities; and includes the plumbing, heating, air conditioning and electrical systems contained in the structure.

"Model" means a specific design, as designated by the producer, of an industrialized building unit or mobile home. Production units of any model may include variations and options that do not affect compliance with the standards governing structural, plumbing, mechanical or electrical systems or any other items governed by these Regulations.

"Office of industrialized building code" means the Office of the Department of Housing and Community Development which has been designated to carry out the State plan for enforcement of the Virginia Industrialized Building and Mobile Home Safety Regulations.

"Registered" means a labeled industrialized building unit or mobile home subject to PART ONE that bears displays a registration seal issued by the Department of Housing and Community Development in accordance with Article 5 of these Regulations.

"Regulations" means Regulations as defined by Section ~~101.1~~ 100.1.

"State regulations" means the Virginia Industrialized Building and Mobile Home Safety Regulations, consisting of PART ONE (Articles 1 through 5) and PART TWO (Article 11 and 12 through 13).

"The law" or "This law" means the Virginia Industrialized Building Unit and Mobile Home Safety Law as embraced in Chapter 103, Acts of Assembly, 1971, as amended; Title 36, Chapter 4, Code of Virginia, as amended.

Article 3.

Safety Standards for Industrialized Building Units Buildings Other than Mobile Homes.

Section 300.0. Requirements.

§ 300.1. Hazards prohibited ; and standards specified: Industrialized building units buildings , other than mobile homes, produced after the effective date of these Regulations shall be reasonably safe for the users thereof and shall provide reasonable protection to the public against the hazards thereof to life, health and property. Compliance with all applicable requirements of the code and standards specified in Section 301.0, subject to the specified time limitations specified therein , shall be acceptable evidence of compliance with this provision.

§ 300.2. Combination of units and components: Where

industrialized building units are used in combination with each other or in combination with other components, compliance of the entire resulting building with all applicable requirements of the codes and standards specified in Section 301.0 shall be acceptable evidence of compliance with this provision.

300.3 Door hardware. The local building official may also enforce the door hardware requirements of the Virginia Uniform Statewide Building Code, provided that installation of the required security devices may be made after delivery of the industrialized building units to the building site.

Section 301.0. Reference Standards.

§ 301.1. Reference standards and time limits established: The standards and time limitations specified below are those referred to in Section 300.0:

°BOCA BASIC BASIC/NATIONAL BUILDING CODE

Published by: Building Officials and Code Administrators International, Inc. (BOCA), 17926 South Halsted Street, Homewood, Illinois 60432 4051 West Flossmoore Road, Country Club Hills, Illinois 60477

(a) 1978 1. 1981 Edition - until November 15, 1982 (to be inserted)

(b) 1981 2. 1984 Edition - no time limit

°BOCA BASIC BASIC/NATIONAL PLUMBING CODE

(a) 1978 1. 1981 Edition - until November 15, 1982 (to be inserted)

(b) 1981 2. 1984 Edition - no time limit

°BOCA BASIC BASIC/NATIONAL MECHANICAL CODE

(a) 1978 1. 1981 Edition - until November 15, 1982 (to be inserted)

(b) 1981 2. 1984 Edition - no time limit

° NATIONAL ELECTRICAL CODE - NFPA NO. 70

Published by: National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts 02269

(a) 1978 1. 1981 Edition - until November 15, 1982 (to be inserted)

(b) 1981 2. 1984 Edition - no time limit

§ 301.2. Optional standard: The following standard may be used for one and two family dwellings only, as an alternative to the standards specified above: in Section 301.1.

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° ONE AND TWO FAMILY DWELLING CODE

Jointly published by: BOCA; American Insurance Association, 85 John Street, New York, New York 10038; Southern Building Code Congress International, 3617 Eighth Avenue 900 Montclair Road, Birmingham, Alabama 35203 35213; International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, California 90601

(a) 1975 Edition with the following amendment unit November 15, 1982

One and two family dwellings shall conform to the energy conservation design specifications of ASHRAE Standard 90 75, the American Society of Heating, Refrigerating, and Air Conditioning Engineers, Inc.

(b) 1975 Edition, as amended and adopted June 19, 1978, as part of the Virginia Uniform Statewide Building Code until November 15, 1982

(c) 1. 1979 Edition and 1980 Supplement; as amended and adopted March 15, 1982, as part of the 1981 Edition of the Virginia Uniform Statewide Building Code no time limit until (to be inserted)

2. 1983 Edition - no time limit

§ 301.3. General amendment to reference codes and standards: All requirements of the referenced model codes and standards that relate to fees, permits, certificates of use and occupancy, approval of plans and specifications and other procedural, administrative and enforcement matters are deleted and replaced by the procedural, administrative and enforcement provisions of these Regulations and the applicable provisions of Article 1 of the Virginia Uniform Statewide Building Code.

301.4 Soldered joints: Solder or flux containing lead shall not be used in water service or water distribution piping.

Article 4.

Approved Testing Facilities.

Section 400.0. Procedures for Approval.

§ 400.1. Application to Department: Application may be made to the Department for acceptance as an approved testing facility as defined in Section 100.0 Article 2. Application shall be made under oath and shall be accompanied by information and evidence that is adequate for the Department to determine whether the applicant is specially qualified by reason of facilities, personnel, experience and demonstrated reliability to investigate, test and evaluate industrialized building units and mobile homes buildings for compliance with these Regulations, and to provide adequate follow-up and quality assurance services at the point of manufacture.

Note: A suggested format for the application for

acceptance as an approved testing facility may be obtained from the Office of Industrialized Building Code.

§ 400.2. Freedom from conflict of interest: An approved testing facility shall not be affiliated with nor influenced or controlled by producers, suppliers, or vendors of products in any manner which might affect its capacity to render reports of findings objectively and without bias. An approved testing facility is judged to be free of such affiliation, influence, and control if it complies with all of the following conditions:

1. Has It has no managerial affiliation with producers, suppliers or vendors, and is not engaged in the sale or promotion of any product or material.

2. The results of its work accrue no financial benefits to the agency via through stock ownership; and the like, of any producers, suppliers, or producer, supplier or vendor of the products product involved.

3. Its directors and other management personnel, in such capacities, receive no stock option, nor or other financial benefit from any producer, supplier, or vendor of the product involved.

4. Has It has sufficient breadth of interest or activity that the loss or award of a specific contract to determine compliance of a producer's, supplier's; or vendor's product with these Regulations would not be a determinative determining factor in its financial well-being.

5. The employment security status of its personnel is free of influence or control of by producers, suppliers, or vendors.

§ 400.3. Information required by Department: The following information and criteria will be considered by the Department in designating approved testing facilities:

1. Names of officers and location of offices.

2. Specification and description of services proposed to be furnished under these Regulations.

3. Description of qualifications of personnel and their responsibilities.

Personnel involved in system analysis, design and plans review, compliance assurance inspections, and their supervisors shall meet the requirements of the American Society for Testing and Materials (ASTM) Standards E-541-84, Criteria for Agencies Engaged in System Analysis and Compliance Assurance for Manufactured Buildings.

4. Summary of organizational experience within the organization.

5. General description of procedures and facilities to be used in proposed services, including evaluation of

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the model unit, factory follow-up, quality assurance, labeling of production units, and specific information to be furnished on or with labels.

6. Procedures to deal with any defective units resulting from oversight.

7. Acceptance of these services by independent accrediting organizations and by other jurisdictions.

8. Proof of independence and absence of conflict of interest.

Article 5. Labeling, Registration and Fees.

Section 500.0. Labels.

§ 500.1. Minimum information required: Every labeled industrialized building ~~unit~~ and mobile home shall be marked with a label, seal, or similar evidence of compliance supplied by the approved testing facility that ~~bears~~ includes the following information directly or by reference:

1. Name and address of approved testing facility.
2. Type of unit (mobile home or other type of industrialized building ~~unit~~), and list of codes and standards for which the unit has been evaluated, inspected and found in compliance by the approved testing facility.
3. Serial number of label.
4. Special instructions for handling, installation and erection, or list of such instructions that are furnished separately with the unit.
5. Special conditions or limitations of use of the unit under the standards for which the unit has been evaluated, or list of such conditions and limitations that are furnished separately with the unit.

§ 500.2. Mounting of label: To the extent practicable, the label shall be so installed that it cannot be removed without destroying it. It shall be applied in the vicinity of the electrical distribution panel or other location that is readily accessible for inspection, except that on mobile homes the label shall be applied to the exterior of the unit in a location that can be readily viewed by the Board's representative or local building official without entering into or upon the unit. Where the unit ~~comprises~~ is part of a system of sub-assemblies the required label may be furnished as a single label for the system, provided each sub-assembly is listed on or with the label and is marked by the approved testing facility in some clearly identifiable manner that relates it to the label.

§ 500.3. Manufacturer's data plate and other markings: The following information shall be placed on one or more permanent manufacturer's data plates in the vicinity of the

electrical distribution panel or in some other location that is readily accessible for inspection. The approved testing facility shall approve the form, completeness and location ~~thereof of the data plate to include the information listed below:~~

1. Manufacturer's name and address.
2. Serial number of the ~~separate~~ label of the approved testing facility.
3. ~~Manufacturer's serial~~ Serial number of the unit.
4. Name of manufacturer and model designation of major factory installed appliances.
5. Where applicable, identification of permissible type of gas for appliances, designation of electrical ratings for single and multiple cord entrance, and directions for water and drain connections.
6. For mobile homes, a zone map indicating the zone for which the home is designed.
7. For mobile homes, details relative to pier spacing and location on which the home design is based.

§ 500.4. Label control: The labels shall be under direct control of the approved testing facility until applied by the manufacturer to units that comply fully with these Regulations. The manufacturer shall place ~~his~~ its order for labels with the approved testing facility. ~~He~~ The manufacturer is not permitted to acquire labels from any other source. Each approved testing facility shall keep a list of the serial numbers of labels issued to each manufacturer's plant in such manner that a copy of the record can be submitted to the Department upon request.

Section 501.0. Registration of Labeled Units.

§ 501.1. Registration seal for mobile homes: Every labeled mobile home, composed of one or more units, shall be marked with an approved registration seal issued by the Department. The seal shall be applied by the manufacturer to any unit intended for sale or use in Virginia prior to its shipment *from the factory*.

§ 501.2. Registration seal for industrialized ~~building units~~ buildings other than mobile homes: ~~Every such~~ Each labeled unit, or combination ~~thereof of units~~, that constitutes a single-family house or that constitutes a single-family living unit in a building of multi-family occupancy, shall be marked with an approved registration seal issued by the Department. Every labeled unit, or combination ~~thereof of units~~, that is erected as a single building for some other type of occupancy shall be marked with an approved registration seal issued by the Department. The seal shall be applied by the manufacturer to any unit intended for sale or use in Virginia prior to its shipment *from the factory*.

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§ 501.3. Issue of registration seals and fees: Approved registration seals may be purchased from the Department of Housing and Community Development in advance of use. The fee for each registration seal shall be ~~\$25.00~~; set by the Board. Checks shall be made payable to "Treasurer of Virginia".

§ 501.4. Mounting of registration seal: To the extent practicable, the registration seal shall be so installed so that it cannot be removed without destroying it. It shall be installed in the vicinity of near the label applied by the approved testing facility.

PART II. MOBILE HOMES SUBJECT TO FEDERAL REGULATIONS.

Article 11. Administration.

Section ~~1101.0~~ 1100.0. General.

~~1101.1~~ § 1100.1. Title: Articles 11 and 12 hereof through 13 shall be known and may be cited as the Virginia Industrialized Building and Mobile Home Safety Regulations - PART TWO. PART TWO shall mean the Virginia Industrialized Building and Mobile Home Safety Regulations - PART TWO.

~~1101.2~~ § 1100.2. Application: PART TWO shall apply to mobile manufactured homes as defined in Section ~~1100.0~~. 1200.0.

~~1101.3~~ § 1100.3. Effective date: The effective date of PART TWO of these Regulations is July 16, 1982. (to be inserted).

Section ~~1102.0~~ 1101.0. Enforcement Generally.

~~1102.1~~ § 1101.1. Federal regulation: Enforcement of PART TWO shall be in accordance with the Federal Manufactured Home Procedural and Enforcement Regulations, promulgated enacted May 13, 1976, pursuant to under authority granted by Section 625 of the Act, and designated as Part 3282, Chapter XX, Title 24 of the Department's regulations. (Part 3282 consists of subparts A through L, with Sections numbered 3282.1 through 3282.554, and has an effective date of June 15, 1976.)

~~1102.2~~ § 1101.2. Delegation of authority: Mindful of the statutory responsibility placed upon it by the provisions of the Virginia Industrialized Building Unit and Mobile Home Safety Law, and in furtherance of the legislative policies expressed in Section 36-72 thereof, By the authority of the Board, hereby delegates to the Department of Housing and Community Development is delegated all lawful authority for the enforcement of the Federal Standards pertaining to manufactured homes, as prescribed by the aforesaid Procedural and Enforcement Regulations. The Board hereby approves the The Division of Building Regulatory Services of the Department of Housing and

Community Development is designated by the Board as a State Administrative Agency in the HUD enforcement program, and the exercise by said Division of all authority vested in it shall act as an agent of HUD. And the Board hereby authorizes the The Division, under the supervision of the Deputy Director of Building Regulatory Services, as Administrator, is authorized to perform the activities required of an SAA by the HUD enforcement plan, including (but not limited to) investigation, citation of violations, handling of complaints, conducting hearings, supervising remedial actions, monitoring, and making such reports as may be required.

Section ~~1103.0~~ 1102.0. Enforcement in Localities.

~~1103.1~~ § 1102.1. Responsibility of local building officials: Every All local building official is officials are authorized by Section 36-81 of the Law to enforce the provisions of PART TWO within the limits of his their jurisdiction. Such local building officials shall enforce PART TWO, subject to the general oversight of the Division, and shall not permit the use of any mobile manufactured home that does not comply with PART TWO within their respective jurisdictions.

~~1103.2~~ § 1102.2. Effect of label: Mobile Manufactured homes bearing displaying the HUD label shall be acceptable accepted in all localities as meeting the requirements of this Law, and shall be acceptable as meeting the requirements of safety to life, health, and property imposed by any ordinance of any local governing body of this State without further investigation, testing, or inspection. Notwithstanding this provision, local building officials are authorized to carry out the following functions with respect to mobile manufactured homes bearing displaying the HUD label, provided such functions can be performed without do not involve disassembly of the units or parts thereof of the units, or change of design, and provided such function does not or result in the imposition of more stringent conditions than those required by the Federal regulations:

1. After installation of the unit, local officials they may verify that it has not been damaged in transit to such a degree as that would render it unsafe. Where indicated, tests may be made for : tightness of plumbing systems ; tightness of and gas piping, and electrical short circuits at meter connections.
2. They may verify that supplemental components required by the label or by this Part PART TWO are properly provided.
3. They may verify that installation or erection instructions are observed.
4. They may verify that any special conditions or limitations of use stipulated by the label pursuant to in accordance with the Standards or PART TWO are observed.

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5. They may enforce applicable requirements of PART TWO for alterations and additions to ~~mobile~~ *manufactured* homes, and for maintenance ~~thereof~~ *of the homes*.

6. They may enforce the requirements of the Uniform Statewide Building Code applicable to utility connections, site preparation, fire limits, building permits, certificates of use and occupancy, and all other applicable requirements ~~thereof~~, except those governing the design and construction of the labeled units.

7. They may verify that a ~~mobile~~ *manufactured* home ~~bears~~ *displays* the required HUD label.

8. They may verify that ~~corrections of~~ nonconforming items have been ~~accomplished~~ *corrected*.

~~1103.3~~ § 1102.3. Action upon noncompliance: Whenever any local building official finds that a ~~mobile~~ *manufactured* home delivered for use in his jurisdiction is in violation of PART TWO, he shall initiate the corrective procedure required, in accordance with PART TWO.

~~1103.4~~ § 1102.4. Report to the Division: Whenever any ~~mobile~~ *manufactured* home is moved from a local ~~building official's~~ jurisdiction before a noted violation has been corrected, ~~such the building~~ official shall make a prompt report of the circumstances to the Division of Building Regulatory Services of the Department of Housing and Community Development. ~~His~~ The report shall include: a list of uncorrected violations, all information pertinent to identification and manufacture of the ~~mobile~~ home contained on the label and the data plate ~~thereof~~, the destination of the ~~subject~~ *mobile* home *if known*, and the name of the party responsible for moving it.

Section ~~1104.0~~ 1103.0. Restrictions on Distributors and Dealers.

~~1104.1~~ § 1103.1. Alterations: No distributor or dealer shall perform or cause to be performed any alteration affecting one or more requirements set forth in the Federal Standards, ~~except pursuant to approval obtained from~~ *except those alterations approved by* the Division of Building Regulatory Services.

~~1104.1.1~~ § 1103.1.1. Assistance from local building officials: In handling and approving dealer requests for alterations, the Division may be assisted by local building officials; ~~and such local~~. The ~~building~~ officials shall report to the ~~Division~~ violations of this Section and failures to conform to the terms of ~~his~~ *their* approval to the Division.

~~1104.2~~ § 1103.2. Prohibited re-sale: No distributor or dealer shall offer for resale any ~~mobile~~ *manufactured* home possessing a serious defect or imminent safety hazard.

Section ~~1105.0~~ 1104.0. Continuing Enforcement.

~~1105.1~~ § 1104.1. Inspections: At any time when a ~~mobile~~ *manufactured* home is located within the State of Virginia, and is not then occupied and used as a dwelling, the Division shall have authority to inspect for violations of the Federal Standards, and to order the correction of any serious defect or imminent safety hazard found. Nothing ~~herein shall be construed to contained in these Regulations~~ shall limit the authority *granted local building officials* to inspect occupied ~~mobile~~ *manufactured* homes ~~which otherwise may be conferred upon local building officials~~.

Article 12. Definitions.

Section ~~1100.0~~ 1200.0. Definitions.

~~1100.1~~ § 1200.1. Definitions from PART ONE: Terms defined in PART ONE (~~Section 100.0 Article 2~~) shall have the same meaning ~~herein in PART TWO~~, unless otherwise specifically indicated. Terms defined within the Federal Manufactured Home Construction and Safety Standards and the Federal Manufactured Home Procedural and Enforcement Regulations, as adopted by the United States Department of Housing and Urban Development, shall have ~~herein~~ the same meanings assigned them ~~there~~ *in these Regulations*.

~~1100.2~~ § 1200.2. Additional definitions:

"Act" or "The Act" means the National Manufactured Housing Construction and Safety Standards Act of 1974, Title VI of the Housing and Community Development Act of 1974 (42 U.S.C. 5401, et seq.).

Note: The Act was originally entitled the National Mobile Home Construction and Safety Standards Act of 1974, but was ~~recently~~ amended as noted above. For this reason, the use of the term mobile home in the Federal Standards ~~may be phased out in the future in favor of~~ *has been replaced by* the term manufactured home.

"Administrator" means the person designated by the Board to enforce ~~this Part~~ PART TWO.

"Board" means the Board of Housing and Community Development.

"Department" means the Department of Housing and Community Development.

"Division" means the Division of Building Regulatory Services of the Department of Housing and Community Development.

"HUD" means the United States Department of Housing and Urban Development.

"Imminent safety hazard" means a hazard that presents an imminent and unreasonable risk of death or severe personal injury that may or may not be related to failure to comply with an applicable Federal ~~mobile~~.

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manufactured home construction or safety standard.

"Label" or "Certification label" means the approved form of certification by the manufacturer that, under Section 3282.362(c)(2)(i) of the Act, is permanently affixed to each transportable section of each mobile manufactured home manufactured for sale to a purchaser in the United States.

"MOBILE" or "Manufactured Home" ; as used within PART TWO means a structure { subject to federal regulation } ; which is transportable in one or more sections ; ; which is 8 body feet or more in width and is 32 40 body feet or more in length in the traveling mode, or is 320 or more square feet when erected on site ; and which ; is built on a permanent chassis ; ; and is designed to be used as a single-family dwelling , with or without a permanent foundation, when connected to the required utilities ; ; and includes the plumbing, heating, air-conditioning, and electrical systems contained therein in the structure.

Note: The term MANUFACTURED HOME, as noted earlier, replaces the term MOBILE HOME in the Federal regulations and in PART TWO.

"Serious defect" means any failure to comply with an applicable Federal mobile manufactured home construction and safety standard that renders the mobile manufactured home or any part thereof not fit for the ordinary use for which it was intended and which results in an unreasonable risk of injury or death to occupants of the affected mobile manufactured home.

"Standards" or "Federal standards" means the Federal Manufactured Home Construction and Safety Standards adopted by HUD, pursuant to in accordance with authority in the Act. Said standards were promulgated enacted December 18, 1975 , and amended May 11, 1976 , to become effective June 15, 1976.

"State administrative agency" (SAA) means an agency of a state which has been approved or conditionally approved to carry out the state plan for enforcement of the standards pursuant to Section 623 of the Act, 42 U.S.C. 5422, and subpart G of the Federal Procedural and Enforcement Regulations.

Article 12 13. Safety Standards.

Section 1200.0 1300.0. Federal Standards.

1200.1 § 1300.1. Compliance required: Mobile Manufactured homes produced on or after June 15, 1976, shall conform to all the requirements of the Federal Standards, as they may thereafter be amended.

Section 1201.0 1301.0. Mounting and Anchoring.

1201.1 § 1301.1. Reference to Uniform Statewide Building

Code: Mounting and anchoring of mobile manufactured homes shall be in accordance with the applicable requirements of the 1981 1984 Edition of the Virginia Uniform Statewide Building Code. The manufacturer's printed instructions shall supersede the requirements of the 1981 1984 Edition of the Uniform Statewide Building Code where there are differences.

1981 1984 EDITION

VIRGINIA INDUSTRIALIZED BUILDING AND MOBILE HOME SAFETY REGULATIONS ADDENDA

ADDENDUM 1

REQUIREMENTS FOR MOUNTING AND ANCHORING MOBILE HOMES

The following requirements are from the 1981 1984 Edition of the Virginia Uniform Statewide Building Code:

Section 623.0 613.0. Mobile Homes.

623.1 § 613.1. Anchorage and tiedown: Mobile homes may be mounted on and anchored to permanent foundations specifically designed for each such mobile home. When the mobile home is not mounted on and anchored to a permanent foundation, a system of stabilizing devices conforming to accepted engineering practices shall be used. The manufacturer shall provide printed instructions with each mobile home specifying the location, required capacity and other details of stabilizing devices (tiedowns, piers, blocking, footings, etc.) on which the design of the mobile home is based. Footings or foundations on which piers or other stabilizing devices are mounted shall be carried down to the established frost line.

623.2 § 613.2. Required Anchorage:

(a) 1. Mobile homes installed or relocated in the Hurricane zone on or after October 15, 1974, and mobile homes installed or relocated outside of the Hurricane zone on or after April 15, 1975, shall be anchored in accordance with this section.

(b) 2. The Hurricane zone includes the following counties and all cities located therein, contiguous thereto, or to the east thereof: Accomack, Charles City, Essex, Gloucester, Greensville, Isle of Wight, James City, King & Queen, King William, Lancaster, Mathews, Middlesex, Northumberland, Northampton, New Kent, Prince George, Richmond, Surry, Sussex, Southampton, Westmoreland, York.

(c) 3. Mobile homes equipped by the manufacturer with a system of tiedowns ; designed in accordance with one of the reference standards listed in Section 623.3; shall be attached vertically and diagonally to a system of ground anchors in a manner adequate to resist wind overturning and sliding as imposed by the design loads. Mobile homes hereafter installed in the

Proposed Regulations

Hurricane zone shall be of Hurricane and Windstorm Resistive design as defined by the applicable reference standards listed in Section 623.3. Mobile homes not equipped by the manufacturer with a system of tiedowns shall be anchored in a manner deemed adequate by the local building official to resist wind overturning and sliding as imposed by the design loads of the applicable reference standards listed in Section 623.3.

623.2 Applicable reference standards. The applicable standards to be used in determining compliance with the anchorage requirements of this section are:

□ ANSI A119.1 (NFPA NO. 501B), STANDARD FOR MOBILE HOMES BODY AND FRAME DESIGN AND CONSTRUCTION REQUIREMENTS AND THE INSTALLATION OF PLUMBING, HEATING AND ELECTRICAL SYSTEMS

Published by: American National Standards Institute
1430 Broadway, New York, New York 10018

Either the 1974 or 1975 Edition, until superseded by the Federal Manufactured Home Construction and Safety Standards, with the following amendment to Part C, Section 11.2.1 Water Connection, add the following sentence: A master, cold water shut off, full flow valve shall be installed on the main feeder line in an accessible area.

623.3.1 Optional standard: The following standard may be used as an option to the standard listed above:

□ FEDERAL MANUFACTURED HOME CONSTRUCTION AND SAFETY STANDARDS

Published by: U. S. Department of Housing and Urban Development, Federal Register, Volume 40, Number 244, December 18, 1975 (Part 280, Code of Federal Regulations)

No time limit.

623.4 § 613.3. Placement of ground anchors: Unless the entire tiedown system, including ground anchors, is designed by a professional engineer or architect, ground anchors shall be placed as follows:

1. Hurricane zones: Not more than 12 feet on centers beginning from the front line wall of the mobile home stand (congruent with the front wall of the mobile home). Not more than 6 feet open-end spacing shall be provided at the rear line of the mobile home stand unless additional tiedowns are installed.

2. Nonhurricane zones: Not more than 24 feet on centers beginning from the front line wall of the mobile home stand (congruent with the front wall of the mobile home). Not more than 6 feet open-end spacing shall be provided at the rear line wall of the

mobile home stand unless additional tiedowns are installed.

3. Load capacity: Each ground anchor shall be capable of resisting an allowable working load equal to or exceeding 3,150 pounds applied in the direction of the tiedown. In addition, each ground anchor shall be capable of withstanding a 50 percent overload without failure.

4. Weather resistance: Ground anchors shall be resistant to weathering deterioration at least equivalent to that provided by a coating of zinc on steel strapping of not less than 0.30 ounces per square foot of surface coated.

ADDENDUM 2 PREVIOUS ADOPTIONS AND AMENDMENTS

The Virginia Industrialized Building Unit and Mobile Home Safety Regulations were first adopted in 1971 by the State Corporation Commission and became effective on January 1, 1972. Subsequent editions and amendments were adopted by the Commission to update the reference standards or reflect changes in State and Federal legislation. On July 1, 1978, responsibility for the Regulations passed to the State Board of Housing and Community Development. The Board has also amended the Regulations to incorporate later editions of the reference standards and legislative changes.

The Office of Industrialized Building Code has compiled a list of the successive editions of the Regulations and amendments. This list includes the effective dates and a summary of the major changes incorporated in each edition or amendment. A copy may be obtained without charge upon request to:

Office of Industrialized Building Code
Department of Housing and
Community Development
205 North Fourth Street
Richmond, Virginia 23219
Telephone (804) 786-4846

ADDENDUM 3 VIRGINIA INDUSTRIALIZED BUILDING UNIT AND MOBILE HOME SAFETY LAW

This law is designated as Chapter 4 of Title 36 of the Code of Virginia, and contains Sections 36-70 through 36-85.1 of the Code. It provides authority for adoption of these regulations and establishes penalties for violations. A copy may be obtained without charge upon request to:

Office of Industrialized Building Code
Department of Housing and
Community Development
205 North Fourth Street
Richmond, Virginia 23219
Telephone (804) 786-4846

Proposed Regulations

Title of Regulations: VR 394-01-101. Urban Enterprise Zone Program Regulations.

Statutory Authority: § 59.1-278 of the Code of Virginia.

Public Hearing Date: September 16, 1985 - 10 a.m.
(See Calendar of Events Section for additional information)

Summary:

The purpose of the regulations is to implement the Virginia Urban Enterprise Zone Act passed by the 1982 General Assembly. The regulations establish criteria and procedures for the designation, amendment, termination and administration of Urban Enterprise Zones. Procedures for receiving specified state tax incentives are also established. Those subject to the terms of the regulations include: local governing bodies and business firms wishing to participate in the program, state agencies responsible for administration of the program and any units of state or local government which own land within a designated zone.

VR 394-01-101. Urban Enterprise Zone Program Regulations.

PART I.
2.00 DEFINITIONS.

~~2.01~~ General Definitions contained in this Section will be observed in the text of these regulations.

~~2.02~~ § 1.1. The following words and terms, when used in these regulations, shall have the following meaning, unless the context clearly indicates otherwise.

~~2.02.01~~ "Average number of full-time employees" means the number of full-time employees during each payroll period of a business firm's taxable year divided by the number of payroll periods:

a. 1. In calculating the average number of full-time employees, a business firm may count only those full-time employees who worked at least one-half of their normal work days during the payroll period. Paid leave time may be counted as work time.

b. 2. For a business firm which uses different payroll periods for different classes of employees, the average number of full-time employees of the firm shall be defined as the sum of the average number of full-time employees for each class of employee.

~~2.02.02~~ "Base taxable year" means the taxable year preceding the first taxable year for which a firm qualifies for state tax incentives under this program.

~~2.02.03~~ "Business firm" means any business entity,

incorporated or unincorporated, which is authorized to do business in the Commonwealth of Virginia and which is subject to state individual income tax, state corporate income tax, state franchise or license tax on gross receipts, or state bank franchise tax on net taxable capital:

a. 1. The term "business firm" includes partnerships and small business corporations electing to be taxed under Subchapter S of the Federal Internal Revenue Code, and which are not subject to state income tax as partnerships or corporations, but the taxable income of which is passed through to and taxed as income of individual partners and shareholders.

b. 2. The term "business firm" does not include organizations which are exempt from state income tax on all income except unrelated business taxable income as defined in the Federal Internal Revenue Code, Section § 512; nor does it include homeowners associations as defined in the Federal Internal Revenue Code, Section § 528.

~~2.02.05~~ "Department" means the Department of Housing and Community Development.

~~2.02.06~~ "Develop" means to make improvements to land through the construction, conservation, repair, restoration, rehabilitation, conversion, alteration, enlargement or remodeling of a structure(s) to accommodate the principal use to which the land is or will be put. a. Improvements to land where parking is the principal use shall not constitute development pursuant to the requirements in Section ~~7.01-01~~ § 7.1A, except where the buyer can demonstrate to the satisfaction of the seller that such use is necessary in order to further the purpose of the program (see Section ~~1.02~~ § 2.3) and the local development objectives outlined in the application for zone designation.

~~2.02.04~~ "Employee of a zone establishment" means a person employed by a business firm who is on the payroll of the firm's establishment(s) within the zone. a. In the case of an employee who is on the payroll of two or more establishments of the firm, both inside and outside the zone, the term "employee of a zone establishment" refers only to such an employee assigned to the firm's zone establishment(s) for at least one-half of his normally scheduled work days.

~~2.02.07~~ "Establishment" means a single physical location where business is conducted or where services or industrial operations are performed:

a. 1. A central administrative office is an establishment primarily engaged in management and general administrative functions performed centrally for other establishments of the same firm.

b. 2. An auxiliary unit is an establishment primarily engaged in performing supporting services to other establishments of the same firm.

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- ; a- (ii) one or more persons not living in the same residence but who were claimed as a dependent on another person's federal income tax return for the previous year shall be presumed, unless otherwise demonstrated, part of the other person's family ; ; or b- (iii) an individual 18 or older who receives less than 50% of his support from the family, and who is not the principal earner nor the spouse of the principal earner, shall not be considered a member of the family. Such an individual shall be considered a family of one.

2.02.11.02 "Family income" means all income actually received by all family members over age 16 from the following sources:

1. Gross wages and salary (before deductions);
2. Net self-employment income (gross receipts minus operating expenses);
3. Interest and dividend earnings; and
4. Other money income received from net rents, Old Age and Survivors Insurance (OASI), social security benefits, pensions, alimony, child support, and periodic income from insurance policy annuities and other sources.

The following types of income are excluded from family income:

1. Noncash benefits such as food stamps and housing assistance;
2. Public assistance payments;
3. Disability payments;
4. Unemployment and employment training benefits;
5. Capital gains and losses; and
6. One-time unearned income.

When computing family income, income of a spouse and/or other family members shall be counted for the portion of the income determination period that the person was actually a part of the family.

2.02.11.03 "Family size" means the largest number of family members during the income determination period.

2.02.08 "Full-time employee" means a person employed by a business firm who is normally scheduled to work at least 35 hours per week during the firm's payroll period. a- The term "full-time employee" does not include unpaid volunteer workers.

2.02.09 "Gross receipts attributable to the active conduct of trade or business within an Urban Enterprise Zone" means all receipts of the business firm arising from the firm's activities or from the investment and use of the firm's capital in its establishment(s) within the zone. The proportion of gross receipts arising from the firm's activities, or from its investment and use of capital within the zone, shall be calculated by dividing the total expenses of the firm's establishment(s) within the zone by the firm's total expenses both inside and outside the zone:

a- 1. This calculation must be used to allocate and apportion taxable gross receipts against which state franchise or license tax credits may be claimed (see **Section 9.02.03 § 9.2C**).

b- 2. This calculation may not be used to allocate and apportion Virginia taxable income against which state corporate and individual income tax credits may be claimed or taxable net capital against which state franchise tax credits may be claimed.

2.02.11.04 "Income determination period" means the 12 months immediately preceding the month in which the person was hired.

2.02.10 "Independent certified public accountant" means a public accountant certified and licensed by the Commonwealth of Virginia who is not an employee of the business firm seeking to qualify for state tax incentives under this program.

2.02.11 "Low-income person" means a person who is a full-time employee of a business firm seeking qualification and whose family had an income which was less than 80% of median family income during the income determination period.

2.02.11.05 "Median family income" means the dollar amount, adjusted for family size, as determined annually by the department for the city or county in which the zone is located.

2.02.12 "Metropolitan central city" means a city so designated by the U.S. Office of Management and Budget.

2.02.13 "Payroll period" means the period of time for which a business firm normally pays its employees.

2.02.14 "Secretary" means the Secretary of Commerce and Resources.

2.02.15 "Surplus public land" means land within a zone which is owned by the Commonwealth or a unit of local government and which meets the following standards : :

a- 1. In the case of land owned by a unit of local government, 1- (i) the land is not being used for a public purpose nor designated or targeted for a specific public use in an adopted land use plan, facilities plan, capital improvements plan or other

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official public document; ~~2-~~ (ii) no tangible harm would be incurred by the unit of local government if the land were eliminated from its holdings; and ~~3-~~ (iii) sale of the land would not violate any restriction stated in the deed.

~~b-~~ 2. In the case of land owned by agencies of the Commonwealth, except land acquired by the Virginia Department of Highways and Transportation for the construction of highways, the land has been determined to be surplus to the Commonwealth in accordance with criteria and procedures established pursuant to §§ 2.1-504 through 2.1-512 ; of the Code of Virginia (1950) as amended .

~~e-~~ 3. In the case of land acquired by the Virginia Department of Highways and Transportation for the construction of highways, the land has been determined to be surplus to the needs of the State Highway Commission and the Commonwealth in accordance with criteria and procedures established pursuant to §§ 33.1-93, 33.1-149 and 33.1-154 of the Code of Virginia (1950) as amended . The State Highway Commission, prior to determining that land surplus to its needs is also surplus to the Commonwealth, may make such land available to other state agencies in accordance with procedures established pursuant to §§ 2.1-504 through 2.1-512 of the Code of Virginia (1950) as amended .

~~2-02-16~~ "Tax due" means the amount of tax liability as determined by the Department of Taxation or the State Corporation Commission.

~~2-02-17~~ "Tax year" means the year in which the assessment is made.

~~2-02-18~~ "Taxable year" means the year in which the tax due on state taxable income, state taxable gross receipts or state taxable net capital is accrued.

~~2-02-19~~ "Unit of local government" means any county, city or town. ~~a-~~ Special-purpose political subdivisions, such as redevelopment and housing authorities and industrial development authorities, are not units of local government.

~~2-02-20~~ "Zone" means an Urban Enterprise Zone declared by the Governor to be eligible for the benefits of this program.

PART II.

1-00 GENERAL PROVISIONS.

~~1-01~~ § 2.1. Authority.

These regulations are issued by the Board of Housing and Community Development, Commonwealth of Virginia , as required by § 59.1-278 ; of the Code of Virginia (1950) as amended .

~~1-02~~ § 2.2. Scope and applicability.

These regulations describe the procedures and requirements that will be used to implement the Virginia Urban Enterprise Zone Program.

~~1-03~~ § 2.3. Purpose of program.

The purpose of the Virginia Urban Enterprise Zone Program is to stimulate business and industrial growth which would result in revitalization of neighborhoods by means of regulatory flexibility and tax incentives. This program is to be directed to areas of the Commonwealth that need special governmental attention to attract private sector investment.

~~1-04~~ § 2.4. Compliance with the Virginia Administrative Process Act.

The provisions of the Virginia Administrative Process Act, ~~Title 9, § 9-6.14:1 of the Code of Virginia (1950), as amended~~ , shall govern the issuance and administration of these regulations.

~~1-05~~ § 2.5. Severability.

If any provision of these regulations is held to be invalid, this does not invalidate other provisions which are severable from it.

PART III.

3-00 ELIGIBILITY CRITERIA.

~~3-01~~ § 3.1. Eligible applicants for zone designation.

Eligible applicants include the governing body of any county, city or town.

~~3-01-01~~ A. Applications on behalf of towns - The governing body of a county may apply for designation of an Urban Enterprise Zone on behalf of a town located within the county.

~~3-01-02~~ B. Joint applications - Two or more adjacent eligible jurisdictions may file a joint application for an Urban Enterprise Zone lying in the jurisdictions submitting the application.

~~3-01-03~~ C. Limit on applications - Eligible jurisdictions may submit only one application for the designation of an Urban Enterprise Zone. This limitation includes the submission of a joint application with other jurisdictions.

~~3-02~~ § 3.2. Zone eligibility requirements.

To be eligible for consideration, an application for an Urban Enterprise Zone must meet the following requirements.

~~3-02-01~~ A. Contiguous area - The proposed zone must consist of a contiguous area.

~~3-02-02~~ B. Distress criteria - The proposed zone must

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meet at least one of the following criteria as enumerated in the 1980 U.S. Census: 1- (i) 25% or more of the households must have had incomes below 80% of the median household income of the county or city; or 2- (ii) the unemployment rate must have been at least 1.5 times the state average.

3-02-03 C. Zone size - The proposed zone shall conform **substantially** to the following size guidelines. In a joint application, the portion of the zone proposed in each jurisdiction shall conform **substantially** to the guidelines:

3-02-03-01 1. Size limits for zones in Metropolitan Central Cities -

a- Minimum: 1/2 square mile (320 acres). In no instance shall a zone consist only of a site for a single business firm.

b- Maximum: 1 square mile (640 acres) or 7% of the jurisdiction's land area or population, whichever is largest.

3-02-03-02 2. Size limits for zones in towns and cities other than Metropolitan Central Cities -

a- Minimum: 1/4 square mile (160 acres). In no instance shall a zone consist only of a site for a single business firm.

b- Maximum: 1/2 square mile (320 acres) or 7% of the jurisdiction's land area or population, whichever is largest.

3-02-03-03 3. Size limits for zones in unincorporated areas of counties -

a- Minimum: 1/2 square mile (320 acres). In no instance shall a zone consist only of a site for a single business firm.

b- Maximum: 4 square miles (~~approximately~~ 2,500 2,560 acres).

3-02-03-04 4. Exception for zones in cities formed through consolidation - Zones in cities, the existing boundaries of which were created through the consolidation of a city and county, or the consolidation of two cities, shall conform substantially to the minimum and maximum size guidelines for unincorporated areas of counties as set forth in **Section 3-02-03-03 § 3.2C(3)** .

PART IV.

4-00 PROCEDURES AND REQUIREMENTS FOR ZONE DESIGNATIONS.

4-01 § 4.1. Procedures for zone application and designation.

Up to 12 Urban Enterprise Zones will be designated by the Governor in accordance with the following procedures and requirements.

4-01-01 A. Applications for zone designation - Applications for zone designation will be solicited by the department in accordance with the following procedures and requirements:

4-01-01-01 1. Application form - An application for zone designation must be submitted on Form UEZ-1 to the Director, Virginia Department of Housing and Community Development, 205 North Fourth Street, Richmond, Virginia 23219, on or before the submission date established by the department.

4-01-01-02 2. Local public hearing - The local governing body must hold at least one public hearing on the application for zone designation prior to its submission to the department.

4-01-01-03 3. Application requirements - In order to be considered in the competitive zone designation process an application must provide all the requested information, be accompanied by a resolution of the local governing body and be signed by the chief administrator or the clerk to the town council or county board of supervisors where there is no chief administrator. The chief administrator or clerk, in signing the application, must certify that the local governing body held the public hearing required in **Section 4-01-01-02 § 4.1A(2)** .

4-01-01-04 4. Proposed local incentives - As part of its application a locality may propose local incentives such as regulatory and tax relief, and infrastructure and service delivery improvements, in order to stimulate private investment in the proposed zone. The likely impact of proposed local incentives in offsetting identified barriers to private investment in the proposed zone, together with the projected impact of state tax incentives, will be factors in evaluating applications.

a- The local governing body may propose incentives which it will make generally available throughout the zone or available only under specified conditions. Likewise, the local governing body may propose incentives to be provided for the entire life of the zone or for any shorter period.

b- Proposed local incentives may be provided by the local governing body itself or by an assigned agent(s) such as a local redevelopment and housing authority, a private nonprofit entity or a private for-profit entity. In the case of a county which submits an application on behalf of an incorporated town, the county may designate the governing body of the town to serve as its assigned agent. In the case of a county which submits an application for a zone encompassing unincorporated county areas as well as portions of one or more towns, the county may designate the governing body(ies) or the town(s) to serve as its assigned agent(s).

4-01-02 B. Departmental review of applications - Within 60 days following the application submission date, the department shall review and forward to the Governor those applications determined to be eligible for Urban Enterprise Zone designation under **Section 3-02 § 3.2** .

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~~4-01-03~~ C. Director's review of eligible applications - Within 30 days of forwarding eligible applications to the Governor, the Director of the Department of Housing and Community Development shall recommend to the Governor those which are determined to have the greatest potential for accomplishing the purpose of the program.

~~4-01-04~~ D. Governor's designation - The Governor shall designate, upon recommendation of the Director, Urban Enterprise Zones for a period of 20 years. The Governor's designation shall be final.

~~4-01-05~~ E. Notification of denial - A local governing body whose application for zone designation is denied shall be notified and provided with the reasons for denial.

~~4-02~~ § 4.2. Procedures and requirements for joint applications.

Two or more adjacent jurisdictions submitting a joint application as provided for in ~~Section 3-01-02~~ § 3.1B must meet the following requirements :

~~4-02-01~~ A. Designation of a program administrator - The applicants must designate one jurisdiction to act as program administrator. The jurisdiction so designated shall be responsible for filing a survey of zone business conditions and annual reports as provided for in ~~Section 7-02~~ §§ 7.2 and ~~7-03~~ 7.3 .

~~4-02-02~~ B. Submission of joint applications - In order to submit a joint application, Form UEZ-1 must be completed and filed by the jurisdiction acting as program administrator in accordance with the procedures set forth in ~~Sections 4-01-01-01~~ §§ 4.1A(1) through ~~4-01-01-04~~ 4.1A(4) . In addition, a copy of Form UEZ-1-JA must be completed by each of the other participating jurisdictions to certify that they are in agreement in filing the joint application. A copy(ies) of Form UEZ-1-JA must be submitted to the department with Form UEZ-1.

~~4-02-03~~ C. Other requirements - The applicants must meet all other requirements of these regulations pertaining to applicants. In the case of joint applications, all references to "applicant" and "local governing body" contained in the text of these regulations shall mean the governing body of each participating jurisdiction.

PART V.

5-00 PROCEDURES FOR ZONE AMENDMENT.

~~5-01~~ § 5.1. Relationship to federal enterprise zone program.

If any portion of an area designated as an Urban Enterprise Zone by the Governor is included in an area designated as an enterprise zone by an agency of the federal government, the area designated by the Governor shall be enlarged to include the area designated by the federal agency.

~~5-02~~ § 5.2. Amendment of approved applications.

A local governing body will be permitted to request amendments to approved applications for zone designation ~~will be permitted~~ in accordance with the following procedures and requirements *provided that the amendments relate to local program incentives or to expansions of zone boundaries .*

~~5-02-01~~ Permitted Amendments - A local governing body ~~may request amendments to its approved application for zone designation provided that the amendments relate to local program incentives. Changes in zone boundaries will not be permitted, except as provided for in Section 5-01.~~

~~5-02-02~~ A. Local public hearing on proposed amendment - The local governing body must hold at least one public hearing on the requested amendment prior to its submission to the department.

~~5-02-03~~ B. Submission of a request for an amendment - A request for an amendment must be submitted to the department on Form UEZ-2. This form must be accompanied by a resolution of the local governing body and must certify that the local governing body held the public hearing required in ~~Section 5-02-02~~ § 5.2A . ~~a.~~ In the case of a joint application, a request for an amendment must be completed by the jurisdiction serving as program administrator and must be accompanied by a ~~copy(ies)~~ of Form UEZ-2-JA. This form certifies that the other participating jurisdictions are in agreement in filing the request for amendment.

C. Limit on applications for amendments to expand zone boundaries - The first application for an amendment to expand zone boundaries may be submitted at any time. Thereafter, only one application for an amendment to expand zone boundaries will be permitted every four years.

D. Eligibility criteria for amendments to expand zone boundaries - A proposed boundary amendment must meet the following requirements:

- 1. Contiguous area - The area proposed for expansion must be contiguous to the existing zone.*
- 2. Distress criteria - The enlarged zone must meet at least one of the distress criteria outlined in § 3.2B of the program regulations.*

E. Boundary amendment size - The enlarged zone shall not exceed the maximum size guidelines outlined in § 3.2C of the program regulations. A zone boundary amendment may not consist of a site for a single business firm or be less than 10 acres.

~~5-02-04~~ F. Approval of an amendment - The department will approve a request an amendment to local incentives only if the *proposed* local incentives ~~in the amended application~~ are equal or superior to those in the application prior to the proposed amendment. *The department will approve an amendment to expand zone*

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boundaries only if the proposed amendment is deemed to be justified in the opinion of the department.

G. Notification of denial - A local governing body that is denied either a boundary or local incentive amendment shall be provided with the reasons for denial.

PART VI.

6.00 PROCEDURES FOR ZONE TERMINATION.

6.01 § 6.1. Failure to provide local program incentives.

If a local governing body or its assigned agent(s) is unable or unwilling to provide any of the approved local program incentives, the following procedures will apply. In the case of joint applications, these procedures will apply if either local governing body or its assigned agent(s) is unable or unwilling to provide approved local incentives.

~~6.01-01~~ A. Notification - A local governing body must notify the department in writing within 30 days of any inability or unwillingness to provide an approved local program incentive.

~~6.01-02~~ B. Request for an amendment - A local governing body will have 60 days after submission of the notice required in ~~Section 6.01-01~~ § 6.1A to request an amendment to its application. Such a request shall be filed in accordance with the procedures set forth in ~~Section 6.02-03~~ § 5.2C .

~~6.01-03~~ C. Departmental review - The department will review requests for amendments in accordance with the criterion set forth in ~~Section 5.02-04~~ § 5.2F . ~~a.~~ Approval of an amendment will allow a zone to continue in operation. ~~b.~~ If a local governing body fails to provide notice as set forth in ~~Section 6.01-01~~ § 6.1A , or has its request for an amendment denied, then the department may recommend to the Secretary that the zone be terminated.

~~6.01-04~~ D. Secretarial review of recommendation for zone termination - The Secretary, upon review of the department's recommendation, may recommend that the Governor terminate the zone.

6.02 § 6.2. Zone termination.

A zone shall be terminated in accordance with the procedures set forth in ~~Section 6.01~~ § 6.1 upon written notice to a local governing body. The date of such notice is considered to be the date of zone termination.

~~6.02-01~~ A. Continued availability of state tax incentives to previously qualified business firms - Qualified business firms located in a terminated zone may continue to request state tax incentives provided under this program for any remaining taxable years in the five-year period for which they are eligible.

~~6.02-02~~ B. Limits on business firm qualification - After

the date of zone termination, no additional business firms may become qualified to receive state tax incentives provided under this program.

PART VII.

7.00 ADMINISTRATIVE REQUIREMENTS.

7.01 § 7.1. Sale of surplus public land.

The Commonwealth and any unit of local government that owns land within the zone ~~must~~ ~~1.~~ shall: (i) upon designation of a zone, identify any surplus land and within six months make such land available for sale; and ~~2.~~ (ii) update annually its list of surplus land and make available for sale within six months any newly identified surplus parcels. ~~a.~~ The department may waive this requirement only if the owner can demonstrate to the department's satisfaction that the land cannot be developed due to its size, configuration, topography, location or other relevant factors.

~~7.01-01~~ A. Conditions on the sale of public land - The Commonwealth or any unit of local government that sells surplus land within a zone shall require the buyer to develop the land within a period not to exceed five years. This requirement of the buyer must be enforceable by the seller. ~~a.~~ The Commonwealth or any unit of local government that sells surplus land within a zone may set any additional conditions upon the sale which it considers to be necessary to assure that the land is developed in a manner consistent with the purpose of the program (See ~~Section 1-03~~ § 2.3) and the local development objectives outlined in the application for zone designation. If the land is not sold within five years, such conditions shall be revised as necessary to make the land marketable.

~~7.01-02~~ B. Monitoring of compliance - In order to monitor compliance with the requirements of ~~Section 7.01~~ § 7.1 , the department will request annually from local governing bodies and state agencies with responsibility for overseeing the disposition of surplus state land, information concerning the identification and sale of surplus land. ~~a.~~ A local governing body shall document compliance with ~~Section 7.01~~ § 7.1 in its annual report to the department (see ~~Section 7.03~~ § 7.3). ~~b.~~ The department shall request annually from the Division of Engineering and Buildings of the Virginia Department of General Services and from the Virginia Department of Highways and Transportation, lists of surplus state land within zones and actions taken to sell such land.

7.02 § 7.2. Survey of zone business conditions.

Within 90 days following the date of zone designation, a local governing body shall conduct a survey of existing zone business conditions to serve as a basis for program evaluation. ~~a.~~ Survey data shall be submitted to the department on Form UEZ-3-S. ~~b.~~ The survey shall include information on business and employment conditions in the zone as requested on Form UEZ-3-S.

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7-03 § 7.3. Annual report.

A local governing body shall submit annual reports to the department for the purpose of program monitoring and evaluation. a. Annual reports shall be submitted to the department on Form UEZ-3-AR, within 90 days of the anniversary date of zone designation. b. Annual reports shall include information documenting the local governing body's compliance with ~~Section 7-01 § 7.1~~ and data for the purpose of program evaluation as requested on Form UEZ-3-AR. Annual reports shall also include an evaluation of the program's success in achieving identified local development objectives.

PART VIII.

8-00 BUSINESS FIRM REQUIREMENTS.

8-01 § 8.1. Requirements for becoming a qualified business firm.

In order to become qualified for the purpose of receiving state tax incentives, a business firm must meet the requirements of ~~Section 8-01-01 § 8.1A~~ or ~~8-01-02 § 8.1B~~.

~~8-01-01~~ A. Requirements for new firms - A business firm which begins the operation of a trade or business within a zone after the date of zone designation must meet the following requirements: 1- (i) at least 50% of its gross receipts earned during the taxable year for which state tax incentives are requested must be attributable to trade or business conducted within the zone; and 2- (ii) at least 40% of the average number of full-time employees of its zone establishment(s) must be low-income persons.

~~8-01-02~~ B. Requirements for existing firms - A business firm which is engaged in the conduct of a trade or business in a zone at the time of zone designation must meet the following requirements: 1- (i) at least 50% of its gross receipts earned during the taxable year for which state tax incentives are requested must be attributable to trade or business conducted within the zone; 2- (ii) the average number of full-time employees of its zone establishment(s) must be at least 10% greater than the average for the base taxable year; and 3- (iii) at least 40% of such increase must be low-income persons.

8-02 § 8.2. Prohibition of duplicate government assistance.

A business firm may not use the same expense to qualify for state tax incentives under this program as is used to qualify for state tax incentives under any other program.

PART IX.

9-00 BUSINESS FIRM PROCEDURES.

9-01 § 9.1. Procedures for becoming a qualified business firm.

In order to become qualified for the purpose of

receiving state tax incentives under this program, a new business firm must submit to the department Form UEZ-4N stating that it meets the requirements of ~~Section 8-01-01 § 8.1A~~. An existing business firm must submit Form UEZ-4E stating that it meets the requirements of ~~Section 8-01-02 § 8.1B~~. These forms must be prepared by an independent certified public accountant (CPA) licensed by the Commonwealth.

~~9-01-01~~ *Prima Facie Evidence A. Proof of qualification* - Form UEZ-4N or Form UEZ-4E, when completed and signed by an independent CPA, shall be prima facie evidence that a business firm is qualified to receive state tax incentives.

~~9-01-02~~ *B. Determination of employee low-income status* - In determining whether a business firm meets the requirements of ~~Section 8-01-01 § 8.1A~~ or ~~8-01-02 § 8.1B~~, an independent CPA may accept a signed statement from an employee affirming that he meets the definition of a low-income person.

~~9-01-03~~ *C. Annual submission of form* - A business firm must submit either Form UEZ-4N or Form UEZ-4E for each year in which state tax incentives are requested. a- Form UEZ-4N or Form UEZ-4E must be submitted to the department no later than 30 calendar days prior to the firm's normal or extended deadline for filing a return for state corporate income tax, state individual income tax, state franchise or license tax on gross receipts, or state franchise tax on net capital.

~~9-01-04~~ *D. Certification by the department* - Within 14 calendar days of receipt of Form UEZ-4N or Form UEZ-4E, the department will:

1. Review the form;
2. Certify to the Commissioner of the Virginia Department of Taxation, or in the case of public service companies to the Director of Public Service Taxation for the State Corporation Commission, the applicability of the tax credits requested by the firm; and
3. Forward three copies of the certification to the firm (one copy for the firm's records and two copies to be filed with the applicable state tax returns) or notify the firm that it fails to qualify for state tax incentives under ~~Section 8-00 PART VIII~~.

~~9-01-05~~ *E. Submission of state tax returns* - A business firm, upon receipt from the department of copies of the certificate of its qualification to receive state tax incentives, may file the applicable state tax returns. a- In order for the Virginia Department of Taxation or the State Corporation Commission to grant the credit or refund requested, the appropriate copy of the certificate of qualification must be attached to firm's tax return.

When a partnership or small business corporation

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electing to be taxed under Subchapter S of the Federal Internal Revenue Code requests a credit(s) against state individual income tax on behalf of its partners or shareholders, each partner or shareholder must attach to its state individual income tax return a photocopy of the appropriate certificate of qualification received by the firm.

9.01-06 F. Five-year limit for receiving state tax incentives - A business firm may receive state tax incentives for only five consecutive taxable years beginning with the first taxable year in which the firm qualifies. If a firm fails to become qualified for any taxable year during this five-year period, it forfeits the right to request state tax incentives for that year. However, the firm is eligible to become qualified for any remaining taxable years of its five-year cycle.

9.01-07 G. Prohibition on requalification due to reorganization of a firm - A business firm may not qualify for state tax incentives for more than five consecutive taxable years by reorganizing or changing its form in a manner that does not alter the basis of the firm's assets or result in a taxable event.

9.02 § 9.2. Procedures for requesting state tax incentives.

A business firm shall submit annually to the department, along with Form UEZ-4N or Form UEZ-4E, a statement requesting one or more of the state tax incentives provided for in this section. **a.** In the case of a partnership or a small business corporation electing to be taxed under Subchapter S of the Federal Internal Revenue Code, the statement requesting state tax incentives shall include the name, address and social security number of each partner or shareholder requesting a credit(s) against state individual income tax as provided for in ~~Section 9.02-02~~ § 9.2B .

~~9.02-01~~ **A.** State corporate income tax credits - A qualified business firm subject to tax under ~~Article 7-4, Chapter 4, Title 58, Article 10, Chapter 3, Title 58.1, of the Code of Virginia (1950), as amended~~, may request credits against any such tax due. **a.** Corporate income tax credits shall not extend for more than five consecutive tax years. **b.** The sum of the corporate income tax credits claimed under this section shall not exceed the business firm's state corporate income tax liability. **c.** Corporate income tax credits shall apply only to taxable income attributable to the conduct of business within a zone. A business firm having taxable income from business activity both inside and outside a zone shall allocate and apportion its taxable income attributable to the conduct of business in accordance with the procedures contained in §§ ~~58-151-034 58.1-406 through 58-151-050:3 58.1-420~~ of the Code of Virginia (1950): as amended .

9.02-01-01 1. General credit - A credit may be claimed against corporate income tax liability for each of five consecutive tax years in an amount equaling:

- a. 80% of the tax due for the first tax year;
- b. 60% of the tax due for the second tax year;
- c. 40% of the tax due for the third tax year; and
- d. 20% of the tax due for the fourth and fifth tax years.

a. An unused tax credit may not be applied to future tax years.

~~9.02-01-02~~ **2.** Unemployment tax credit - A credit may be claimed against corporate income tax liability for each of five consecutive tax years in an amount equaling:

- a. 80% of the state unemployment tax due on employees of zone establishments for the first tax year;
- b. 60% of such tax due for the second tax year;
- c. 40% of such tax due for the third tax year; and
- d. 20% of such tax due for the fourth and fifth tax years.

a. An unemployment tax credit may only be claimed against the amount of taxable corporate income remaining after the subtraction of any general credit claimed under ~~Section 9.02-01-01~~ § 9.2A(1) . An unused employment tax credit may be applied to future tax years within the five-year period established by this section.

~~9.02-02~~ **B.** State individual income tax credits - A qualified business firm which is subject to state individual income tax may request credits against any such tax due. **a.** Individual income tax credits shall not extend for more than five consecutive tax years. **b.** The sum of the individual income tax credits claimed under this section shall not exceed the business firm's state individual income tax liability. **c.** When a partnership or a small business corporation electing to be taxed under Subchapter S of the Federal Internal Revenue Code is eligible for this tax credit, each partner or shareholder may request the credit on his individual income tax in proportion to the amount of income received by that partner from the partnership, or shareholder from his corporation, respectively. **d.** Individual income tax credits shall apply only to taxable income attributable to the conduct of business within a zone. A business firm having taxable income from business activity both inside and outside the zone shall allocate and apportion its taxable income attributable to conduct of business in accordance with the same procedures set forth for corporations subject to corporate income tax, as contained in §§ ~~58-151-034 58.1-406 through 58-151-050:3 58.1-420~~ of the Code of Virginia (1950): as amended .

~~9.02-02-01~~ **1.** General credit - A credit may be claimed

Proposed Regulations

against individual income tax liability for each of five consecutive tax years in an amount equaling:

- a. 80% of the tax due for the first tax year;
- b. 60% of the tax due for the second tax year;
- c. 40% of the tax due for the third tax year; and
- d. 20% of the tax due for the fourth and fifth tax years.

~~a.~~ An unused tax credit may not be applied to future tax years.

~~9-02-02-02~~ 2. Unemployment tax credit - A credit may be claimed against individual income tax liability for each of five consecutive tax years in an amount equaling:

- a. 80% of the state unemployment tax due on employees of zone establishments for the first tax year;
- b. 60% of such tax due for the second tax year;
- c. 40% of such tax due for the third tax year; and
- d. 20% of such tax due for the fourth and fifth tax years.

~~a.~~ An unemployment tax credit may only be claimed against the amount of taxable individual income remaining after the subtraction of any general credit claimed under ~~Section 9-02-02-01~~ § 9.2B(1) . An unused employment tax credit may be applied to future tax years within the five-year period established by this section.

~~9-02-03~~ C. Credits against state franchise or license tax on gross receipts - A qualified business firm which is subject to state franchise tax on gross receipts or state license tax on gross premium receipts may request a credit against any such tax due. ~~a.~~ Credits against state franchise or license tax on gross receipts shall not extend for more than five consecutive tax years. ~~b.~~ The sum of the credits against state franchise or license tax on gross receipts claimed under this section shall not exceed the business firm's state franchise or license tax liability. ~~e.~~ Credits against state franchise or license tax on gross receipts shall apply only to taxable gross receipts attributable to the active conduct of trade or business within a zone. A business firm having taxable gross receipts from business activity both inside and outside the zone shall allocate and apportion its taxable gross receipts attributable to conduct of business in accordance with the procedures outlined in ~~Section 2-02-00~~ the definition for "gross receipts attributable to the active conduct of a trade or business within an Urban Enterprise Zone":

~~9-02-03-01~~ 1. General credit - A credit may be claimed against tax liability on gross receipts for each of five

consecutive tax years in an amount equaling:

- a. 80% of the tax due for the first tax year;
- b. 60% of the tax due for the second tax year;
- c. 40% of the tax due for the third tax year; and
- d. 20% of the tax due for the fourth and fifth tax years.

~~a.~~ An unused tax credit may not be applied to future tax years.

~~9-02-03-02~~ 2. Unemployment tax credit - A credit may be claimed against tax liability on gross receipts for each of five consecutive tax years in an amount equaling:

- a. 80% of the state unemployment tax due on employees of zone establishments for the first tax year;
- b. 60% of such tax due for the second tax year;
- c. 40% of such tax due for the third tax year; and
- d. 20% of such tax due for the fourth and fifth tax years.

~~a.~~ An unemployment tax credit may only be claimed against the amount of the taxable gross receipts remaining after the subtraction of any general credit claimed under ~~Section 9-02-03-01~~ § 9.2C(1) . An unused unemployment tax credit may be applied to future tax years within the five-year period established by this section.

~~9-02-04~~ D. Credits against state franchise tax on net capital - A qualified business firm which is subject to state franchise tax on net capital may request credits against any such tax due. ~~a.~~ Credits against state franchise tax on net capital shall not extend for more than five consecutive tax years. ~~b.~~ The sum of the credits against state franchise tax on net capital claimed under this section shall not exceed the business firm's state franchise tax liability. ~~e.~~ Credits against state franchise tax on net capital shall apply only to taxable net capital attributable to the active conduct of business within a zone. A business firm having taxable net capital arising from business activity both inside and outside the zone shall allocate and apportion its net capital attributable to conduct of business in accordance with the same procedures set forth for corporations subject to corporate income tax, as contained in §§ ~~58-151-034 58.1-406 through 58-151-050~~ 58.1-420 of the Code of Virginia (1950); as amended .

~~9-02-04-01~~ 1. General credit - A credit may be claimed against tax liability on net capital for each of five consecutive tax years in an amount equaling:

- a. 80% of the tax due for the first tax year;

- b. 60% of the tax due for the second tax year;
- c. 40% of the tax due for the third tax year; and
- d. 20% of the tax due for the fourth and fifth tax years.

a. An unused tax credit may not be applied to future tax years.

~~9.02.04.02~~ 2. Unemployment tax credit - A credit may be claimed against tax liability on net capital for each of five consecutive tax years in an amount equaling:

- a. 80% of the state unemployment tax due on employees of zone establishments for the first tax year;
- b. 60% of such tax due for the second tax year;
- c. 40% of such tax due for the third tax year; and
- d. 20% of such tax due for the fourth and fifth tax years.

a. An unemployment tax credit may only be claimed against the amount of taxable net capital remaining after the subtraction of any general credit claimed under ~~Section 9.02.04.01~~ § 9.2D(1) . An unused employment tax credit may be applied to future tax years within the five-year period established by this section.

~~9.02.05~~ E. State sales and use tax exemption - A qualified business firm may request an exemption from state taxes on all items purchased or leased for the conduct of trade or business within a zone as required under §§ 58-441.1, 58.1-600 et seq. ; of the Code of Virginia (1950); as amended . This exemption applies only to the state portion of the sales and use tax and not to any portion of the tax levied under local option. a. A business firm in its statement to the department requesting an exemption shall specify the amount of state sales and use tax actually paid during the year for which the exemption is claimed. The Virginia Department of Taxation shall review the amount requested and make an appropriate refund to the firm. b. State sales and use tax exemptions shall not extend for more than five consecutive tax years.

~~9.02.06~~ F. Notification to localities of requests for state tax incentives - The department shall forward to the local governing body of the jurisdiction in which the zone is located: 1. (i) a copy of the business firm's statement requesting state tax incentives; and 2. (ii) the department's determination that the firm is qualified or not qualified to receive such incentives in accordance with the requirements of ~~Section 8.00~~ PART VIII .

II. ENTERPRISE ZONE DEVELOPMENT HISTORY

A. Describe the factors which accounted for the proposed enterprise zone area's past growth, and indicate if they are still an influence. Comments must be confined to the space provided.

B. Describe any recent changes which have occurred in the proposed enterprise zone area's economic and social conditions, and indicate how these changes compare to changes in conditions within the city or county as a whole. Provide documentation of trends whenever possible. Comments must be confined to the space provided.

APPLICATION FOR
URBAN ENTERPRISE ZONE DESIGNATION
VIRGINIA URBAN ENTERPRISE ZONE PROGRAM

Locality _____ Date _____

Chief Administrator _____ Phone _____

Designated Contact Person _____ Phone _____

Address _____

Check One: Single Application

Joint Application List other participating localities below:

I. ENTERPRISE ZONE LOCATION AND BOUNDARIES

List below all 1980 U. S. Census block groups comprising the proposed enterprise zone. Block groups should be listed according to the 1980 U. S. Census tract in which they are located. Joint applications should indicate the locality in which each block group is located.

The following two maps must be included as attachments to this application.

A. A map of the locality showing the location of the proposed enterprise zone and its general boundaries. Label this map Attachment UEZ-1-IA.

B. A 1980 U. S. Census block map of the proposed enterprise zone area clearly showing the boundaries of the zone. Label this map Attachment UEZ-1-IS.

Form UEZ-1

VIRGINIA URBAN ENTERPRISE ZONE PROGRAM

Locality _____

III. LOCAL REVITALIZATION EFFORTS

Describe any past or present community development, urban renewal or other activities of the locality or any other organization aimed at revitalizing the proposed enterprise zone area. Summarize the impact of these actions on the development problems of the area. Comments must be confined to the space provided.

IV. ENTERPRISE ZONE LAND USE CHARACTERISTICS

Describe in general the land use characteristics of the proposed enterprise zone and adjacent areas. Comments must be confined to the space provided.

Form UEZ-1

VIRGINIA URBAN ENTERPRISE ZONE PROGRAM

Locality _____

IV. ENTERPRISE ZONE LAND USE CHARACTERISTICS (cont'd)

The following two maps must be included as attachments to this application.

A. A map of the proposed enterprise zone showing the existing land use characteristics according to the following classifications:

<u>Privately-Held Land</u>	<u>Publicly-Held Land</u>
Business/Commercial	State/Federal Land
Industrial	Local Public Land Presently in Use
Institutional	Undeveloped/Unutilized Local Public Land
Single-Family Residential	
Multi-Family Residential	
Agriculture/Undeveloped	

Indicate on this map total zone acreage and the approximate number of acres devoted to each type of use. Also show the boundaries of any community development or urban renewal project areas within the proposed enterprise zone. Label this map Attachment UEZ-1-IVA.

B. A map of the proposed enterprise zone showing the boundaries of existing zoning districts. Label this map Attachment UEZ-1-IVB. (If the area is not zoned, this map need not be provided.)

V. ENTERPRISE ZONE POPULATION AND HOUSING CHARACTERISTICS

Use 1980 U. S. Census data to complete all portions of Part V.

A. Total Population _____	G. Total Year-Round Housing Units _____
B. Persons in Poverty: Number _____ Percent _____	H. Vacant Year-Round Housing Units: Number _____ Percent _____
C. Total Households _____	I. Year-Round Housing Units Lacking Complete Plumbing Facilities: Number _____ Percent _____
D. Households Receiving Public Assistance Income: Number _____ Percent _____	J. Year-Round Housing Units With 1.01 or More Persons Per Room: Number _____ Percent _____
E. Total Civilian Labor Force _____	K. Median Household Income (Entire Jurisdiction) _____
F. Civilian Labor Force Members Unemployed: Number _____ Percent _____	L. Households With Income Below 80% of Median Household Income: Number _____ Percent _____

VI. ENTERPRISE ZONE PHYSICAL DEFICIENCIES

Describe any serious deficiencies in the physical condition of the following types of structures and facilities within the proposed enterprise zone which have impeded private investment or otherwise contributed to the problems of the area. Comments must be confined to the space provided.

A. Infrastructure (e.g., water, sewer, storm sewer, electrical, road and sidewalk facilities, etc.):

B. Community Facilities (e.g., schools, police and fire stations, libraries, parks and recreational facilities, etc.):

C. Commercial and Industrial Facilities:

D. Housing:

VII. ENTERPRISE ZONE INVESTMENT OPPORTUNITIES

List and indicate the square footage of any large vacant facilities in the proposed enterprise zone which provide major investment opportunities. Use only the space provided.

VIII. LOCAL DEVELOPMENT OBJECTIVES

List the development objectives that the locality hopes to achieve through the Virginia Urban Enterprise Zone Program. These objectives must be specific and quantifiable. Use only the space provided.

IX. BARRIERS TO INVESTMENT

Summarize the major barriers impeding the achievement of the development objectives listed in Part VIII. Comments must be confined to the space provided.

Form UEZ-1

VIRGINIA URBAN ENTERPRISE ZONE PROGRAM

Locality _____

X. LOCAL ENTERPRISE ZONE INCENTIVES

On this page and the following page, furnish the information described below for any local incentives to be provided in support of the proposed enterprise zone.

Incentive: Briefly describe the proposed incentive.

Provider: Indicate who will be providing the incentive. If the applicant itself is to be the provider, so indicate with "applicant" or, in the case of joint applications, with the name of the appropriate locality. If an assigned agent is to be the provider, indicate the name of the organization or entity.

Limitations on Applicability: Indicate any limitations to be imposed on the applicability of the incentive to businesses or residents in the zone. If the incentive is to be made available without limitation, so indicate with "none".

Period of Availability: Indicate the time period for which the incentive will be made available (i.e., for the entire life of the zone or for a shorter period).

Effective Date: Indicate when the incentive will become effective (e.g., upon the date of zone designation, upon the date of passage of a local ordinance, etc.).

Source of Funds: For activities requiring direct expenditures, indicate the source of funds. If no direct expenditures are involved, so indicate with "n.a.".

Additional pages may be attached as necessary (8 1/2"x11"--one side only). The information provided on additional pages must be presented in the same format used here. Label additional pages Attachment UEZ-1-X1, Attachment UEZ-1-X2, etc.

Number of additional pages attached: _____

Incentive:

Provider:

Limitations on Applicability:

Period of Availability:

Effective Date:

Source of Funds:

Form UEZ-1

VIRGINIA URBAN ENTERPRISE ZONE PROGRAM

Locality _____

X. LOCAL ENTERPRISE ZONE INCENTIVES (cont'd)

Important: See instructions on page 3 before completing this page.

Incentive:

Provider:

Limitations on Applicability:

Period of Availability:

Effective Date:

Source of Funds:

Incentive:

Provider:

Limitations on Applicability:

Period of Availability:

Effective Date:

Source of Funds:

XI. IMPACT OF LOCAL ENTERPRISE ZONE INCENTIVES

Describe the projected impact of any local incentives outlined in Part X on investment in the proposed enterprise zone. Indicate specifically how each proposed action will help offset the investment barriers described in Part IX. Up to three additional pages may be attached if necessary. Label additional pages Attachment UEZ-1-XI1, Attachment UEZ-1-XI2, etc.

Number of additional pages attached: _____

Form UEZ-1

XII. IMPACT OF STATE TAX INCENTIVES

Describe the projected impact of the State tax incentives provided through this Program on investment in the proposed enterprise zone. Indicate specifically how the State tax incentives will help offset the investment barriers described in Part IX. Comments must be confined to the space provided.

Form UEZ-1

XIII. LOCAL ASSURANCES AND AUTHORIZATION

As the representative of the local governing body of _____, I hereby certify that: (locality)

- A. the information in this application is accurate to the best of my knowledge;
- B. any local enterprise zone incentives proposed by the aforementioned locality in this application represent a firm commitment;
- C. it is understood that if at any time the aforementioned locality is unable or unwilling to fulfill a commitment to provide local enterprise zone incentives, the zone shall be subject to termination; and
- D. a public hearing was held by the aforementioned locality to solicit comments on this application.

Chief Administrator

Title

Date

Important: All applications must include a resolution of the local governing body. Joint applications must include resolutions of each local governing body. Label this resolution(s) Attachment UEZ-1-XIII. Joint applications must also include Form UEZ-1-JA (Joint Application Agreement).

Applications for the designation of an Urban Enterprise Zone must reach the Department of Housing and Community Development by August 31, 1984.

Questions on this application form may be directed to:

Department of Housing and Community Development
Office of Local Development Programs
205 North Fourth Street, Richmond, VA 23219
(804) 786-4966

Form UEZ-2

VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

REQUEST FOR
APPLICATION AMENDMENT *
VIRGINIA URBAN ENTERPRISE ZONE PROGRAM

Locality _____ Date _____
Chief Administrator _____ Phone _____
Designated Contact Person _____ Phone _____
Address _____

I. PURPOSE OF AMENDMENT

Explain why the amendment to approved local incentives or existing zone boundaries is being requested. If additional pages are used, label them Attachment UEZ-2-I1, Attachment UEZ-2-I2, etc.

*Notes:

1. To request local incentive amendments only - complete Sections I, XII, XIII, XIV and XVI.
2. To request zone boundary amendments only - complete Sections I through XI, XV, and XVI.
3. To request both zone boundary and local incentive amendments, complete all sections.

Form UEZ-2

VIRGINIA URBAN ENTERPRISE ZONE PROGRAM Locality _____

II. EXPANDED ENTERPRISE ZONE AREA LOCATION AND BOUNDARIES

List below all 1980 U. S. Census block groups comprising the proposed expanded enterprise zone area. Block groups should be listed according to the 1980 U. S. Census tract in which they are located. Joint applications should indicate the locality in which each block group is located. Complete only if an expansion to existing zone boundaries is being requested.

The following two maps must be included as attachments to this application if an expansion to existing zone boundaries is being requested.

- A. A map of the locality showing the location and general boundaries of the proposed addition and the new zone boundaries. Label this map Attachment UEZ-2-IIA.
- B. A 1980 U. S. Census block map of the enterprise zone clearly showing the boundaries of the proposed addition and the new zone boundaries. Label the map Attachment UEZ-2-IIB.

Form UEZ-2

VIRGINIA URBAN ENTERPRISE ZONE PROGRAM Locality _____

III. EXPANDED ENTERPRISE ZONE AREA DEVELOPMENT HISTORY

A. Describe the factors which accounted for the proposed expanded enterprise zone area's past growth, and indicate if they are still an influence. Complete only if an expansion to existing zone boundaries is being requested and the factors are different than those described in Form UEZ-1 for the original zone area. Comments must be confined to the space provided.

B. Describe any recent changes which have occurred in the proposed expanded enterprise zone area's economic and social conditions, and indicate how these changes compare to changes in conditions within the city or county as a whole. Provide documentation of trends whenever possible. Complete only if an expansion to existing zone boundaries is being requested and the changes are different than described in Form UEZ-1 for the original zone area. Comments must be confined to the space provided.

Form UEZ-2

VIRGINIA URBAN ENTERPRISE ZONE PROGRAM Locality _____

IV. EXPANDED ENTERPRISE ZONE AREA LOCAL REVITALIZATION EFFORTS

Describe any past or present community development, urban renewal or other activities of the locality or any other organization aimed at revitalizing the proposed expanded enterprise zone area. Summarize the impact of these actions on the development problems of the area. Complete only if an expansion to existing zone boundaries is being requested and the revitalization efforts are different than those described in Form UEZ-1 for the original zone area.

V. EXPANDED ENTERPRISE ZONE AREA LAND USE CHARACTERISTICS

Describe in general the land use characteristics of the proposed expanded enterprise zone area. Complete only if an expansion to existing zone boundaries is being requested. Comments must be confined to the space provided.

Form UEZ-2

VIRGINIA URBAN ENTERPRISE ZONE PROGRAM Locality _____

VI. EXPANDED ENTERPRISE ZONE AREA LAND USE CHARACTERISTICS (cont'd)

The following two maps must be included as attachments to this application if an expansion to existing zone boundaries is being requested.

- A. A map of the proposed expanded enterprise zone showing the existing land use characteristics according to the following characteristics:

Table with 2 columns: Privately-Held Land and Publicly-Held Land. Rows include Business/Commercial, Industrial, Institutional, Single-Family Residential, Multi-Family Residential, Agriculture/Undeveloped, State/Federal Land, Local Public Land Presently in Use, and Undeveloped/Unutilized Local Public Land.

Indicate on this map the acreage of the expanded zone area and the total zone acreage. Also indicate the approximate number of acres devoted to each type of land use in the expanded zone area. Show the boundaries of any community development or urban renewal project areas within the proposed expanded enterprise zone area. Label this map Attachment UEZ-2-VIA.

- B. A map of the proposed expanded enterprise zone area showing the boundaries of existing zoning districts. Label this map Attachment UEZ-2-VIB. (If the area is not zoned, this map need not be provided.)

VII. ENTERPRISE ZONE POPULATION AND HOUSING CHARACTERISTICS

Use 1980 U. S. Census data to complete all portions of Part VII. Calculate for total zone area. Complete only if an expansion to existing zone boundaries is being requested.

Form with multiple sections (A-J) for population and housing characteristics, including Total Population, Persons in Poverty, Total Households, Households Receiving Public Assistance Income, Total Civilian Labor Force, Civilian Labor Force Members Unemployed, Total Year-Round Housing Units, Vacant Year-Round Housing Units, Year-Round Housing Units Lacking Complete Plumbing Facilities, Year-Round Housing Units With 1.01 or More Persons Per Room, Median Household Income, and Households With Income Below 80% of Median Household Income.

Form UEZ-2

VIRGINIA URBAN ENTERPRISE ZONE PROGRAM Locality _____

VIII. EXPANDED ENTERPRISE ZONE AREA PHYSICAL DEFICIENCIES

Describe any serious deficiencies in the physical condition of the following types of structures and facilities within the proposed expanded enterprise zone area which have impeded private investment or otherwise contributed to the problems of the area. Complete only if an expansion to existing zone boundaries is being requested and the deficiencies are different than those described in Form UEZ-1 for the original zone area.

- A. Infrastructure (e.g., water, sewer, storm sewer, electrical, road and sidewalk facilities, etc.):

- B. Community Facilities (e.g., schools, police and fire stations, libraries, parks and recreational facilities, etc.):

- C. Commercial and Industrial Facilities:

- D. Housing:

Form UEZ-2

VIRGINIA URBAN ENTERPRISE ZONE PROGRAM Locality _____

IX. EXPANDED ENTERPRISE ZONE AREA INVESTMENT OPPORTUNITIES

List and indicate the square footage of any large vacant facilities in the proposed expanded enterprise zone area which provide major investment opportunities. Complete only if an expansion to existing zone boundaries is being requested. Use only the space provided.

X. EXPANDED ENTERPRISE ZONE AREA LOCAL DEVELOPMENT OBJECTIVES

List any additional development objectives that the locality hopes to achieve in the expanded enterprise zone area through the Virginia Urban Enterprise Zone Program. These objectives should be specific and quantifiable. Complete only if an expansion to the existing zone boundaries is being requested and if there are additional development objectives. Use only the space provided.

Form UEZ-2

VIRGINIA URBAN ENTERPRISE ZONE PROGRAM Locality _____

XI. EXPANDED ENTERPRISE ZONE AREA BARRIERS TO INVESTMENT

Summarize the major barriers in the expanded enterprise zone area impeding the achievement of the development objectives listed in Part X. Complete only if an expansion to existing zone boundaries is being requested. Comments must be confined to the space provided.

Form UEZ-2

VIRGINIA URBAN ENTERPRISE ZONE PROGRAM Locality _____

XII. LOCAL INCENTIVES TO BE DELETED OR REVISED

Identify all local enterprise zone incentives which are proposed to be deleted or revised. It is not necessary in this section to explain the nature of any proposed revisions. If additional pages are needed, label them Attachment UEZ-2-XIII, Attachment UEZ-2-XIII, etc.

XIII. LOCAL INCENTIVES TO BE ADDED OR REVISED

On the following page, furnish the information described below for each new or revised local incentive to be provided in support of the enterprise zone.

Incentive: Briefly describe the proposed new or revised incentive.

Provider: Indicate who will be providing the incentive. If the applicant itself is to be the provider, so indicate with "applicant" or, in the case of joint applications, with the name of the appropriate locality. If an assigned agent is to be the provider, indicate the name of the organization or entity.

Limitations on Applicability: Indicate any limitations to be imposed on the applicability of the incentive to businesses or residents in the zone. If the incentive is to be made available without limitation, so indicate with "none".

Period of Availability: Indicate the time period for which the incentive will be made available (i.e., for the remaining life of the zone or for a shorter period - specify).

Effective Date: Indicate when the incentive will become effective (e.g., upon the approval date of the amendment, upon the date of passage of a local ordinance, etc.).

Source of Funds: For activities requiring direct expenditures, indicate the source of funds. If no direct expenditures are involved, so indicate with "n.a."

Additional pages may be attached as necessary (8 1/2"x11"--one side only). The information provided on additional pages must be presented in the same format used here. Label any additional pages Attachment UEZ-2-XIII, Attachment UEZ-2-XIII, etc.

Number of additional pages attached: _____

Form UEZ-2

VIRGINIA URBAN ENTERPRISE ZONE PROGRAM Locality _____

XIII. LOCAL INCENTIVES TO BE ADDED OR REVISED (cont'd)

Important: See instructions on page 9 before completing this page.

Incentive:

Provider:

Limitations on Applicability:

Period of Availability:

Effective Date:

Source of Funds:

Incentive:

Provider:

Limitations on Applicability:

Period of Availability:

Effective Date:

Source of Funds:

VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
JOINT APPLICATION AMENDMENT AGREEMENT
VIRGINIA URBAN ENTERPRISE ZONE PROGRAM

Form UEZ-1-JA

VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
JOINT APPLICATION AGREEMENT
VIRGINIA URBAN ENTERPRISE ZONE PROGRAM

As the representative of the local governing body of _____, I hereby certify that: (locality)

- A. the aforementioned locality is in agreement with the other participating localities in filing this joint application;
- B. any local enterprise zone incentives proposed by the aforementioned locality in this application represent a firm commitment;
- C. it is understood that if at any time the aforementioned locality is unable or unwilling to fulfill a commitment to provide local enterprise zone incentives, the zone shall be subject to termination; and
- D. a public hearing was held by the aforementioned locality to solicit comments on this application.

Chief Administrator

Title

Date

As the representative of the local governing body of _____, I hereby certify that: (locality)

- A. the aforementioned locality is in agreement with the other participating localities in filing this request for application amendment;
- B. the local enterprise zone incentives proposed by the aforementioned locality in this request for application amendment represent a firm commitment;
- C. it is understood that if at any time the aforementioned locality is unable or unwilling to fulfill a commitment to provide local enterprise zone incentives, the zone shall be subject to termination; and
- D. a public hearing was held by the aforementioned locality to solicit comments on this request for application amendment.

Chief Administrator

Title

Date

INSTRUCTIONS FOR COMPLETING THE SURVEY OF
ZONE BUSINESS CONDITIONS (FORM UEZ-3-S)

The Survey of Zone Business Conditions provides uniform baseline data on business conditions in Urban Enterprise Zones which can be used to evaluate the effectiveness of the Program.

The Survey of Zone Business Conditions should be submitted to the Department of Housing and Community Development (DHCD) on Form UEZ-3-S by May 1, 1985.

ADMINISTRATION INFORMATION

Instructions

Locality: Provide the name of the locality in which the zone is located. In the case of a joint enterprise zone provide the name of both jurisdictions.

Date: Provide the date on which the Survey of Zone Business Conditions is submitted to DHCD.

Chief Administrator and Phone: Provide the name and phone number of the locality's chief administrator.

Designated Contact Person and Phone: Provide the name and phone number of the person who can answer questions about the survey.

Address: Provide the address of the office of the chief administrator.

Part I. Zone Business Characteristics: Provide the number of establishments and current employment level for each Standard Industrial Classification (SIC) division listed in Part I. Do not include statistics on government establishments or employment.

Data for employers covered under the Virginia Unemployment Compensation Act may be of assistance in compiling this information. If there are any questions regarding the use of this data, contact DHCD or the Manpower Research Office of the Virginia Employment Commission (VEC) at (804) 786-5726. Data for establishments or employees, exempt from paying unemployment insurance (e.g. railroad employees, self-employed) may be obtained by conducting a survey.

Part II. Zone Investment Activity: Provide the number of building permits and the total dollar value for each type of permit listed in Part II. Provide this information only for permits issued within the enterprise zone from January 1, 1980 through December 31, 1984. A separate breakdown should be provided for each year.

The information on building permit activity required in Part II should be available from local building department records.

Part III. Assurances

Chief Administrator and Title: Provide the signature and title of the locality's Chief administrator.

In the case of a survey completed for a joint enterprise zone, provide the signature and title of the chief administrator of the jurisdiction which is acting as program administrator.

Date: Provide the date on which the Survey of Zone Business Conditions is signed by the chief administrator (or clerk).

Form UEZ-3-S

VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
 SURVEY OF ZONE BUSINESS CONDITIONS
 VIRGINIA URBAN ENTERPRISE ZONE PROGRAM

Locality _____ Date _____
 Chief Administrator _____ Phone _____
 Designated Contact Person _____ Phone _____
 Address _____

I. ZONE BUSINESS CHARACTERISTICS

Using up-to-date data, either from a recently conducted survey or other current source, indicate the number of establishments and current employment level for each Standard Industrial Classification (SIC) division listed below. Do not include government establishments or employemnt.

SIC Division	Number of Establishments	Total Employment
Agriculture, Forestry and Fishing	_____	_____
Mining	_____	_____
Construction	_____	_____
Manufacturing	_____	_____
Transportation, Communication, Electric, Gas and Sanitary Services	_____	_____
Wholesale Trade	_____	_____
Retail Trade	_____	_____
Finance, Insurance and Real Estate Services	_____	_____

Source of Data: _____

II. ZONE INVESTMENT ACTIVITY

For each type of permit listed below, indicate the number and dollar value of permits issued within the enterprise zone from January 1, 1980 through December 31, 1984 (breakdown for each year).

Type of Permit	Number of Permits	Dollar Value (\$1,000)
<u>Nonresidential Structures:</u>		
New Construction	_____	_____
Alterations/Improvements/Additions	_____	_____
<u>Single-Family Residential Structures:</u>		
New Construction	_____	_____
Alterations/Improvements/Additions	_____	_____
<u>Multi-Family Residential Structures:</u>		
New Construction	_____	_____
Alterations/Improvements/Additions	_____	_____
<u>Mobile Homes</u>	_____	_____

Form UEZ-3-S

JINIA URBAN ENTERPRISE ZONE PROGRAM

Locality _____

III. ASSURANCE

To the best of my knowledge, the information contained herein is complete and accurate.

 Chief Administrator

 Title

 Date

This survey of zone business conditions is to be submitted to the Department of Housing and Community Development within 90 days of the date of zone designation.

Questions on this survey form may be directed to:

Department of Housing and Community Development
 Office of Local Development Programs
 205 North Fourth Street, Richmond, VA 23219
 (804) 786-4966

Proposed Regulations

Form UEZ-3-AR

VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
ANNUAL REPORT

VIRGINIA URBAN ENTERPRISE ZONE PROGRAM

Locality _____ Date _____ Phone _____
 Chief Administrator _____ Phone _____
 Designated Contact Person _____ Phone _____
 Address _____
 Reporting Period: Beginning _____, 19____, Ending _____, 19____

I. SALE OF SURPLUS PUBLIC LAND

Provide the information requested below for each parcel of surplus land owned by the local governing body within its Urban Enterprise Zone.

Location of Parcel (Street Address)	Size (in Acres)	Date Parcel Determined to be Surplus	Actions Taken Toward Sale of the Parcel

Provide the information requested below for each parcel of land within the Urban Enterprise Zone sold by the local governing body during the reporting period. Also provide the requested information for parcels previously sold by the local governing body which were developed by the buyer during the reporting period.

Location of Parcel (Street Address)	Size (in Acres)	Date of Title Transfer	Type of Development Undertaken by Buyer

Additional pages may be attached as needed. Use the same format and column headings, and label the pages Attachment UEZ-3-AR-II, Attachment UEZ-3-AR-III, etc.

Form UEZ-3-AR

VIRGINIA URBAN ENTERPRISE ZONE PROGRAM

Locality _____

II. LOCAL PROGRAM EVALUATION

On a separate page(s), provide an evaluation of the Program's success in achieving the local development objectives listed in the locality's application for zone designation. Label the page(s) of this evaluation Attachment UEZ-3-AR-III, Attachment UEZ-3-AR-III, etc.

III. STATE PROGRAM EVALUATION DATA

In the space below, provide data, if available, or estimates of:

Column A: the number of business firms (both qualified and nonqualified) which began operations within the zone during the reporting period;

Column B: the number of business firms (both qualified and nonqualified) which expanded their employment in the zone by more than 10 percent during the reporting period;

Column C: the number of new jobs created in the zone during the reporting period (whether provided by qualified or nonqualified firms);

Column D: the number of business closures in the zone during the reporting period; and

Column E: the number of jobs lost as a result of such business closures.

Group all data and/or estimates according to the indicated Standard Industrial Classification (SIC) divisions. Indicate estimates with asterisks (*).

SIC Division	A. New Firms	B. Expanding Firms	C. New Jobs	D. Business Closures	E. Job Losses
Agric., Forestry, & Fishing					
Mining					
Construction					
Manufacturing					
Trans. & Public Util.					
Wholesale Trade					
Retail Trade					
Finance, Insur. & Real Estate					
Services					

Form UEZ-3-AR

VA. URBAN ENTERPRISE ZONE PROGRAM

Locality _____

III. STATE PROGRAM EVALUATION DATA (cont'd)

For each type of permit listed below, indicate the number and dollar value of permits issued within the Urban Enterprise Zone during the reporting period.

Type of Permit	Number of Permits	Dollar Value (\$1,000)
Nonresidential Structures:		
New Construction	_____	_____
Alterations/Improvements/Additions	_____	_____
Single-Family Residential Structures:		
New Construction	_____	_____
Alterations/Improvements/Additions	_____	_____
Multi-Family Residential Structures:		
New Construction	_____	_____
Alterations/Improvements/Additions	_____	_____
Mobile Homes	_____	_____

IV. ASSURANCE

To the best of my knowledge, the information contained herein is complete and accurate.

Chief Administrator

Title

Date

Annual reports are to be submitted to the Department of Housing and Community Development within 90 days of the anniversary date of zone designation.

Questions on this annual report form may be directed to:

Department of Housing and Community Development
Office of Local Development Programs
205 North Fourth Street, Richmond, VA 23219
(804) 786-4966

VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
 SURVEY OF ZONE BUSINESS CONDITIONS
 VIRGINIA URBAN ENTERPRISE ZONE PROGRAM

VIRGINIA URBAN ENTERPRISE ZONE PROGRAM

Locality _____

Locality _____ Date _____
 Chief Administrator _____ Phone _____
 Designated Contact Person _____ Phone _____
 Address _____

I. ZONE BUSINESS CHARACTERISTICS

Using up-to-date data, either from a recently conducted survey or other current source, indicate the number of establishments and current employment level for each Standard Industrial Classification (SIC) division listed below. Do not include government establishments or employment.

<u>SIC Division</u>	<u>Number of Establishments</u>	<u>Total Employment</u>
Agriculture, Forestry and Fishing	_____	_____
Mining	_____	_____
Construction	_____	_____
Manufacturing	_____	_____
Transportation, Communication, Electric, Gas and Sanitary Services	_____	_____
Wholesale Trade	_____	_____
Retail Trade	_____	_____
Finance, Insurance and Real Estate Services	_____	_____

Source of Data: _____

II. ZONE INVESTMENT ACTIVITY

For each type of permit listed below, indicate the number and dollar value of permits issued within the enterprise zone from January 1, 1979 through December 31, 1983 (breakdown for each year).

<u>Type of Permit</u>	<u>Number of Permits</u>	<u>Dollar Value (\$1,000)</u>
<u>Nonresidential Structures:</u>		
New Construction	_____	_____
Alterations/Improvements/Additions	_____	_____
<u>Single-Family Residential Structures:</u>		
New Construction	_____	_____
Alterations/Improvements/Additions	_____	_____
<u>Multi-Family Residential Structures:</u>		
New Construction	_____	_____
Alterations/Improvements/Additions	_____	_____
<u>Mobile Homes</u>	_____	_____

III. ASSURANCE

To the best of my knowledge, the information contained herein is complete and accurate.

Chief Administrator

Title

Date

This survey of zone business conditions is to be submitted to the Department of Housing and Community Development within 90 days of the date of zone designation.

Questions on this survey form may be directed to:

Department of Housing and Community Development
 Office of Local Development Programs
 205 North Fourth Street, Richmond, VA 23219
 (804) 786-4966

Proposed Regulations

VIRGINIA DEPARTMENT OF LABOR AND INDUSTRY

Safety and Health Codes Commission

Title of Regulations: VR 425-02-2. Occupational Exposure to Ethylene Oxide (EtO) - Virginia Occupational Safety and Health Standards for General Industry.

Statutory Authority: § 40.1-22(5) of the Code of Virginia.

Summary:

The proposed Ethylene Oxide Standard establishes a permissible exposure level (PEL) for occupational exposure to EtO of one part EtO per million parts of air (1 ppm) determined as an eight-hour time-weighted average concentration. An "action level" of 0.5 ppm as an eight-hour time-weighted average is established as the level above which employers must initiate certain compliance activities such as periodic employee exposure monitoring every six months, a medical surveillance program, recordkeeping, and an information and training program for employees regarding the health hazards associated with EtO and signs and labels also indicating these hazards. Workplaces in which the processing, use or handling of products containing EtO cannot result in airborne concentration at or above the action level are excluded. An employer who claims exemption from the standard must keep records that document this determination.

Other key provisions of the proposed standard must be complied with when the PEL is exceeded; they include: (i) employee exposure monitoring every three months; (ii) engineering and work practice controls wherever feasible (rotating employees in and out of EtO areas is prohibited as a means to control exposure); (iii) respiratory protection and a respirator program; (iv) regulated areas (identify work areas where occupational exposure exceeds the PEL of 1 ppm); and (v) a written compliance program.

Editor's Note on Incorporation by Reference

Pursuant to § 9-6.18 of the Code of Virginia, the Virginia Occupational Safety and Health Standards for General Industry, Occupational Exposure to Ethylene Oxide (EtO), is declared a document generally available to the public and appropriate for incorporation by reference. For this reason, it will not be printed in The Virginia Register of Regulations. Copies of this document are available for inspection at the Department of Labor and Industry, 205 North Fourth Street, Richmond, Virginia, and in the office of The Registrar of Regulations, Room 215, General Assembly Building, Capitol Square, Richmond, Virginia.

VR 425-02-2. Occupational Exposure to Ethylene Oxide (EtO) - Virginia Occupational Safety and Health Standards for General Industry.

The Commission of Labor and Industry proposes to adopt, through incorporation by reference to the Virginia Occupational Safety and Health Standards for General Industry, and issue, as recommended to it by the Safety and Health Codes Commission of the Commonwealth of Virginia, amendments relating to Occupational Ethylene Oxide (EtO) Standard, as codified in 29 CFR 1910.19 and published in Federal Register, Volume 49, No. 122, Friday, June 22, 1984, Rules and Regulations, Pages 25796 through 25809; to be adopted verbatim by the Virginia Occupational Safety and Health (VOSH) program.

The VOSH program proposes to adopt the Ethylene Oxide Standard which establishes permissible exposure levels, and an "action level" of - 0.5 ppm as an eight-hour time-weighted average as the level above.

Employers must initiate certain compliance activities for employees when the permissible exposure level is exceeded.

Documentation must substantiate employers who claim exemption from this Standard.

Title of Regulations: VR 425-02-3. Marine Terminals - Virginia Occupational Safety and Health Standards for General Industry.

Statutory Authority: § 40.1-22(5) of the Code of Virginia.

Summary:

Based on accident data compiled by the U. S. Bureau of Labor Statistics, Federal OSHA determined that the marine terminal industry continues to remain one of high risk and of alarming accident severity. Accordingly, OSHA adopted its Marine Terminal Standard (29 CFR 1917) to address the shoreside aspects of marine cargo handling.

OSHA's Marine Terminal Standard is a comprehensive standard which extends to all areas of marine cargo handling ashore. The major provisions of the standard are as follows:

- Employees shall wear personal safety equipment.
- Nighttime working areas shall be lighted to at least five foot-candles in higher risk locales.
- Traffic signs shall be used and traffic rules must be implemented.
- Cranes shall have functioning wind-indicating devices.

Virginia Occupational Safety and Health (VOSH)

Proposed Regulations

proposes to adopt this Marine Terminal Standard. However, VOSH's standard will apply only to public sector employment.

Editor's Note on Incorporation by Reference

Pursuant to § 9-6.18 of the Code of Virginia, the Virginia Occupational Safety and Health Standards for General Industry, Marine Terminals, is declared a document generally available to the public and appropriate for incorporation by reference. For this reason, it will not be printed in The Virginia Register of Regulations. Copies of this document are available for inspection at the Department of Labor and Industry, 205 North Fourth Street, Richmond, Virginia, and in the office of The Registrar of Regulations, Room 215, General Assembly Building, Capitol Square, Richmond, Virginia.

VR 425-02-3. Marine Terminals - Virginia Occupational Safety and Health Standards for General Industry.

The Commission of Labor and Industry proposes to adopt, through incorporation by reference to the Virginia Occupational Safety and Health Standards for General Industry, and issue, as recommended to it by the Safety and Health Codes Commission of the Commonwealth of Virginia, amendments relating to the Marine Terminals Standard, as codified in 29 CFR 1917 and published in Federal Register, Volume 48, No. 129, Tuesday, July 5, 1983, Rules and Regulations, Pages 30909 through 30935; to be adopted verbatim by the Virginia Occupational Safety and Health (VOSH) program.

The VOSH program proposes to adopt this Marine Terminal Standard, however, VOSH's standards will apply to public sector employment.

DEPARTMENT OF MINES, MINERALS AND ENERGY

Division of Mines

Title of Regulations: VR 480-05-3. Rules and Regulations Governing the Installation and Use of Automated Temporary Roof Support Systems.

Statutory Authority: § 45.1-104 (b1) of the Code of Virginia.

Public Hearing Date: September 12, 1985 - 9:30 a.m.

Summary:

The regulation provides for automated temporary roof support systems which provide for the safety of the roof bolter during installation of permanent roof supports. This limits or prevents his exposure to the unsupported roof while installing permanent supports. There are no revisions in this review other than those required by the Virginia Register Form, Style and

Procedure Manual.

SECTION 1: Definition

PART I. DEFINITIONS.

§ 1. As used in this series: The following words and terms, when used in these regulations, shall have the following meaning, unless the context clearly indicates otherwise:

(a) ~~Adopted approved roof control plan~~—The term “~~adopted approved roof control~~” shall mean “*Adopted approved roof control plan*” means the roof control plan and revisions thereof suitable to the roof conditions and mining systems of each coal mine which has been ~~adopted~~ by the mine and approved by the Chief pursuant to Section 45-104, Chapter 11, Mining Laws of Virginia, including Oil and Gas .

(b) ~~Approved~~—the term “~~approved,~~” shall mean “*Approved*” means in strict compliance with mining law, or, in the absence of law, accepted by a recognized standardizing body or organization where approval is generally recognized as authoritative on the subject.

(c) ~~Automated temporary roof support system~~—The term “~~automated temporary roof support system~~” shall mean “*Automated temporary roof support system*” means the devices and mechanisms, including the ATRS, used, and methods followed by which the ATRS is activated and set to support the roof.

(d) ~~Automated temporary roof support or ATRS~~—The term “~~automated temporary roof support~~” or “~~ATRS~~” shall mean “*Automated temporary roof support or ATRS*” means a mechanical device used to support the roof temporarily.

(e) ~~Chief~~—the term “~~Chief~~” shall mean “*Chief*” means the Chief of the Division of Mines and Quarries .

(f) ~~Rebuilt~~—The term “~~rebuilt~~” shall mean “*Rebuilt*” means the performance of service work on any roof bolting machine or continuous mining machine with integral roof drills exceeding sixty (60%) per cent of the new purchase price.

SECTION 2: Time Requirements.

PART II. TIME REQUIREMENTS.

(a) § 2.1. After September 1, 1983, all new roof bolting machines and continuous mining machines with integral roof drills used in a working face in a coal mine shall be provided with an approved automated temporary roof support system; provided, other methods of temporarily supporting the roof may be approved by the Chief in the adopted approved roof control plan.

(b) § 2.2. After September 1, 1985, all rebuilt (see (f) in

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definitions) roof bolting machines and rebuilt continuous mining machines with integral roof drills used in a working face in a coal mine shall be provided with an approved automated temporary roof support system. Provided, that other methods of temporarily supporting the roof may be approved by the Chief in the adopted approved roof control plan.

SECTION 3. Approvals and Waivers

PART III. APPROVALS AND WAIVERS.

(a) § 3.1. An automatic waiver will be granted for those active working sections where the average working height of the section is less than ~~forty-two~~ (42) inches.

(b) § 3.2. Automated temporary roof support systems and all other methods of temporarily supporting the roof shall be approved on an individual mine basis by the Chief and shall become part of the adopted approved roof control plan.

After the effective date of these rules and regulations, the operator shall, prior to any automated temporary roof support system being used underground, first obtain approval from the Chief or an authorized representative of the Chief, such approval to be in the manner and form prescribed by the Chief. Provided, that such approval shall not be unreasonably withheld and furthermore, any automated temporary roof support system that has been "approved" prior to the effective date of these regulations shall also be approved by the Chief, or his authorized representative, if the automated temporary roof support system meets the minimum requirements stated in these rules and regulations.

(c) § 3.3. A waiver may be granted, as to the use of an automated temporary roof support system, by the Chief, where it has been demonstrated by the operator and determined during an investigation by an authorized representative of the Chief, that the use of an automated temporary roof support system would create a condition which will cause a greater hazard to people working in the area where permanent supports have been installed, than the method presently being employed or proposed by the operator for temporarily supporting the roof; or, where the technology of an automated temporary roof support system does not exist to allow compliance with the requirements set forth in these rules and regulations. In granting a waiver as to the use of the automated temporary roof support system, the Chief may approve the use of temporary jacks and posts to be used in lieu thereof.

SECTION 4.

PART IV.

Minimum Requirements for Machines Using, or Used as, Automated Temporary Roof Support Systems.

After the effective date of these rules and regulations, all machines using, or used as, an automated temporary roof support system shall comply with the following minimum requirements unless a waiver has been granted or another method of temporarily supporting the roof has been approved by the Chief under these rules and regulations.

(d) § 4.1. The necessary controls to position the machine and place the ATRS against the roof shall be operated from under permanently supported roof, unless, the design of the system will provide adequate protection for the miner while setting such supports.

(e) § 4.2. The ATRS shall be placed firmly against the roof before any work is performed in by permanent roof supports and shall remain against the roof while work is being done.

(f) § 4.3. All hydraulic jacks affecting the support capacity of an ATRS shall have check valves or equivalent protection to prevent support failure in the event of a sudden loss of hydraulic pressure.

(g) § 4.4. ATRS used in conjunction with single bolt installation are required to elastically support, at a minimum, a deadweight load of 11,250 pounds for each 5 five foot by 5 five foot square area of the roof intended to be supported.

(h) § 4.5. ATRS consisting of pads and/or crossbars used in single or multiple rows must elastically support, at a minimum, a deadweight load in pounds of $450 \times [(L+5) \times (W+5)]$; where L is the length of the support structure from tip to tip and W is the width taken at the centerline of a support structure to the centerline of another support structure.

(i) § 4.6. The actual capacity to support elastically a deadweight load shall be certified by a registered professional engineer, or the manufacturer of such product.

(j) § 4.7. The distance that the ATRS may be set in by the last row of permanent supports shall be dependent on the spacing requirements of the permanent roof supports and must be approved by the Chief in the adopted approved roof control plan.

(k) § 4.8. No person shall work or travel beyond the ATRS unless the distance between the coal face and the ATRS is five feet or less; in addition, no person shall work or travel left or right of the ATRS unless a coal rib, a permanent support, or a temporary support is within five feet of the ATRS; ~~Provided~~; *provided*, that when such five foot limit is being determined for an ATRS consisting of a ring then said five foot limit shall be determined from the outside of the ring.

(l) § 4.9. The inch tram control speed of a roof bolting machine shall not exceed one-half of the maximum tram control speed; provided, that in no case shall the inch

Proposed Regulations

tram control speed exceed ~~eighty~~ 80 feet per minute when the roof bolting machine is being used to establish the ATRS.

- - - - -

Title of Regulations: VR 480-05-7. Rules and Regulations Governing Disruption of Communications in Mines.

Statutory Authority: § 45.1-104 (b1) of the Code of Virginia.

Public Hearing Date: September 12, 1985 - 9:30 a.m.
(See Calendar of Events Section for additional information)

Summary:

The regulation provides for greater safety of the underground miner by providing periodic checks and procedures to handle disruptions of the communications system. The regulatory review process produced no change in the regulation.

VR 480-05-7. Rules and Regulations Governing Disruption of Communications in Mines.

PART I.
GENERAL REQUIREMENTS.

Section 45.1-81 of the Code of Virginia requires that telephone service or an equivalent two-way communication system be provided between the top and each landing of main shafts and slopes in the mines. The following rules shall apply in the event a disruption of the required communication system occurs.

~~Rule 1:~~ § 1.1. Mine foremen or their designee shall check the communication system to all sections or part of an underground mine where preparation for or mining is in progress at least once every hour to ascertain if the system is in operation.

~~Rule 2:~~ § 1.2. In the event there is a disruption or failure in the communication system to any section or part of an underground mine where preparation for or mining is in progress, work is to begin immediately and continue until communications are restored.

~~Rule 3:~~ § 1.3. If the required communication is not reestablished within one hour (60 minutes) the mine operator shall notify the District Mine Inspector that communication is down, state any circumstances or existing conditions at the mine and advise of estimated time needed to reestablish communication. Based on the information, the Chief shall take whatever action that is indicated which may include immediate inspection and/or ordering withdrawal of workers from the area.

~~Rule 4:~~ § 1.4. The owner/operator shall advise the Chief ~~Mine Inspector of the Division of Mines~~, or District Mine Inspector, when communication has been restored.

~~Rule 5:~~ § 1.5. Whenever a representative of the miners, or a miner where there is no such representative, has reason to believe that conditions are such that continuing to work on section without communication would constitute an imminent danger to safety or health, such miner or representative shall have the right to notify the Chief ~~Mine Inspector of the Division of Mines~~ or District Mine Inspector of his concern. Upon receipt of such notification, the Chief shall cause an inspection to be made as soon as possible. If the inspection determines that such danger exists, the workmen, excluding those needed to correct the problem, shall be withdrawn to a point that has communication with the surface.

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Title of Regulation: VR 480-05-9.1. Rules and Regulations Governing Advanced First-Aid.

Statutory Authority: § 45.1-101.2 of the Code of Virginia.

Public Hearing Date: September 12, 1985 - 9:30 a.m.
(See Calendar of Events Section for additional information)

Summary:

If at any mine a sufficient number of qualified employees fail to volunteer to serve as Emergency Medical Care Technicians, the operator may elect to utilize the services of first aid trainees. The regulation provides for the specifications for and availability of first aid trainees. Public comments indicated that the requirement for the number of first aid trainees was excessive and burdensome. As a result of the comments, the number of required first aid trainees was reduced.

VR 480-05-9.1. Rules and Regulations Governing Advanced First-Aid.

PART I.
GENERAL REQUIREMENTS.

~~Rule 1:~~ § 1.1. In the event that at any time there is at any mine an insufficient number of qualified employees volunteering to serve as Emergency Medical Care Technicians, as provided for in ~~Section~~ § 45.1-101.1 of the Code of Virginia, the mine operator may elect to utilize the services of first-aid trainees, as provided in paragraph A of ~~Section~~ § 45.1-101.2 of the Code of Virginia, in such numbers as the Chief and the underground mine safety advisory committee determine to be appropriate.

~~Rule 2:~~ § 1.2. These rules and regulations in no way replace the Emergency Medical Care Technicians as stipulated in ~~Section~~ § 45.1-101.1.

~~Rule 3:~~ § 1.3. First-aid trainees referenced in ~~Section~~ § 45.1-101.1 shall complete a ~~forty~~ 40 hour advanced first-aid course as outlined herein.

Proposed Regulations

Rule 4. § 1.4. If the services of advanced first-aid trainees are to be utilized pursuant to Section § 45.1-101.1 at least ~~thirty~~ **fifty percent of the employees of each mine employing said services, three employees per number of sections/units, each shift, one of which must be located on each working section or unit,** shall be trained in advanced first-aid as prescribed herein.

Rule 5. § 1.5. Upon completion of the prescribed ~~forty~~ **hour 40 hour** advanced first-aid course, each trainee must submit to a written and a practical examination. A grade of ~~eighty five per centum~~ **85%** must be attained on the examination.

Rule 6. § 1.6. Each year the advanced first-aid trainee must submit to a ~~ten~~ **10** hour refresher training program.

Rule 7. § 1.7. All training referenced herein must be administered by an approved advanced first-aid instructor.

Rule 8. § 1.8. Requirements for first-aid equipment in underground mine sites.

A. Each operator of an underground coal mine shall maintain a supply of first-aid equipment and in the following locations:

1. At each mine dispatcher's office or other appropriate work area on the surface in close proximity of the mine entrance ; ;
2. At the bottom of each regularly traveled slope or shaft; however, when the bottom of the shaft or slope is less than 1,000 feet from the surface, such first-aid supplies may be maintained on the surface ; ;
3. At a point in each working face not more than 500 feet outby the working face or faces.

B. The first-aid equipment required to be maintained at the above locations shall include as a minimum the following materials and supplies:

1. One stretcher ; ;
2. One broken-backboard ; ; (If a splint-stretcher combination is used it will satisfy the requirement of both (1) and (2).)
3. ~~Twenty-four~~ (24) triangular bandages. ~~Fifteen~~ (15) if a splint-stretcher combination is used ; ;
4. Eight (8) 4 four- inch bandage compresses ; ;
5. Eight (8) 2 two- inch bandage compresses ; ;
6. ~~Twelve~~ (12) 1 one -inch adhesive compresses ; ;
7. One foille ; ;
8. Two cloth blankets ; ;

9. One rubber blanket or equivalent substitute ; ;

10. Two tourniquets ; ;

11. One (1) 1 one- ounce bottle of spirits of ammonia or one dozen ammonia ampules ; ;

12. The necessary complements of arm and leg splints or two each inflatable plastic arm and leg splints.

C. All first-aid supplies required to be maintained shall be stored in suitable, sanitary, dust tight, moisture proof containers and such supplies shall be accessible to the miners.

In the event supplies are used, they shall be replenished immediately to meet the above requirements.

Rule 9. § 1.9. For any advanced first-aid course to meet the requirements of these rules a ~~forty~~ **40** hour course consisting of a minimum of the subjects in the following outline must be established:

1. Introduction to first-aid ; ;
2. Respiratory emergencies and artificial respiration ; ;
3. Removal of foreign bodies from the throat (the Heimlich maneuver) and cardiopulmonary resuscitation (CPR) ; ;
4. Wounds ; ;
5. Shock ; ;
6. Specific injuries ; ;
7. Head injuries; chest injuries ; ;
8. Contamination, infection and prevention ; ;
9. Burns ; ;
10. Cold exposure and frost bite ; ;
11. Bone and joint injuries ; ;
12. Dressings and bandages ; ;
13. Sudden illness ; ;
14. Emergency rescue and transfer ; ;
15. Unusual rescue situations ; ;
16. Poisonings ; ;
17. Transportation of victims.

Proposed Regulations

Title of Regulation: VR 480-05-96. Rules and Regulations Governing Vertical Mine Ventilation Holes.

Statutory Authority: § 45.1-104 (b1) of the Code of Virginia.

Public Hearing Date: September 12, 1985 - 9:30 a.m.
(See Calendar of Events Section for additional information)

Summary:

This regulation addresses safety in the drilling and use of vertical ventilation holes designed to remove methane gas from lower measure coal seams. The only revision replaces "Pocahontas No. 3 Seam" with "seam" from which methane gas is to be removed. This change allows for safety in all seams in which vertical ventilation holes are used for methane drainage.

VR 480-05-96. Rules and Regulations Governing Vertical Mine Ventilation Holes.

RULE 1: DEFINITIONS

PART I. DEFINITIONS.

§ 1.1. The following words and terms, when used in these regulations shall have the following meanings, unless the context clearly indicates otherwise:

A: "Approved" Shall mean means approved by the Division of Mines and Quarries or other recognized agencies.

B: "Building" Shall mean means a building regularly occupied in whole or in part as a habitation for human beings or any church, schoolhouse, railroad station, store or other building where people are accustomed to live, work, or assemble.

C: "Casing" Shall mean means a string or strings of pipe commonly placed in wells drilled for petroleum and natural gas.

D: "Cement" Shall mean means hydraulic cement properly mixed with water only.

E: "Chief" Shall mean means the Chief Mine Inspector of the Division of Mines.

F: "Coal operator" Shall mean means any person or persons, firm, partnership, partnership association or corporation that proposes to or does operate a coal mine.

G: "Deviation test" Shall mean means any test made to determine the variation from the vertical of a well or hole bore.

H: "Division" Shall mean means the Division of Mines.

I: "Gas" Shall mean means natural gas including casing-head gas obtained from gas wells or ventilation holes regardless of its chemical analysis.

J: "Highway" Shall mean means and include includes any public street, public alley, or public road.

K: "Mine" Shall mean means an underground or surface excavation or development with or without any shafts, slopes, drifts or tunnels for the extraction of coal, minerals or nonmetallic materials, commonly designated as mineral resources (excluding petroleum and natural gas), containing the same with hoisting or haulage equipment and appliances for the extraction of the said mineral resources; and embraces any and all of the land or property of the mining plant, and the surface and underground, that is used or contributes directly or indirectly to the mining property, concentration or handling of said mineral resources.

L: "Mine operator" Shall mean means any person or persons, firm, partnership, partnership association or corporation that proposes to or does operate a mine.

M: "Person" Shall mean means any natural person, firm, partnership, partnership association, association, company, corporation, receiver, trustee, guardian, executor, administrator, fiduciary or representative of any kind.

N: "Pillar" Shall mean means a solid block of coal or ore or other material, left unmined to support the overlying strata in a mine.

O: "Plug" Shall mean means the stopping or sealing off of the flow of water, oil or gas in a well or ventilation hole.

P: "Railroad" Shall mean means and include includes and steam, electric or other motive-powered transportation systems operating on track which carries passengers for hire, or over which loaded or empty equipment is transported.

Q: "Vertical ventilation hole" Shall mean means any hole drilled from the surface to the coal seam used only for the safety purpose of removing gas from the underlying coal seam and the adjacent strata, thus, removing the gas that would normally be in the mine ventilation system. This does not prohibit the hole, at a later date, when no longer used for safety, to be declared a gas well or for any other purpose meeting the approval of the Chief Mine Inspector as provided by Chapters 1-12, Title 45.1 ; of the Code of Virginia.

R: "Workable coal bed" Shall mean means a coal bed in fact being operated commercially, or which, in the judgement of the Chief, can, and that is reasonably to be expected will be so operated, and which, when operated, will require protection if holes are drilled through it.

RULE 2: MAPS OR PLATS: ADJACENT OWNERS,

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ETC., TO FILE OBJECTIONS

PART II. MAPS OR PLATS: ADJACENT OWNERS, ETC., TO FILE OBJECTIONS.

§ 2.1. Before drilling a mine ventilation hole on any tract of land, the mine operator shall have prepared by a competent engineer or surveyor and file with the Chief, together with the application required; (i) an accurate plat or map on a scale, to be stated thereon, not smaller than ~~four hundred~~ 400 feet to the inch, showing the proposed location and surface elevation of the hole determined by survey, (ii) the courses and distances of such location from two permanent points or landmarks on said tract, (iii) the name and number proposed to be given to the hole, (iv) the name of the owner and the boundaries and acreage of the tract on which the hole is to be drilled, (v) the names of the owners of all adjoining tracts and of any other tract within ~~five hundred~~ 500 feet of the proposed location and any building, highway, railroad, stream, ventilation hole, oil or gas well, mine, mine openings or workings, or quarry within ~~five hundred~~ 500 feet of the proposed location. Copies of such plat or map shall be mailed to each such adjacent landowner, and to each owner, or lessee, or operator of any mineral rights on, in or under, such land or mine, well or quarry within ~~five hundred~~ 500 feet of the proposed location, by registered mail, together with notice (on forms provided by the Chief) of his intention to drill vertical mine ventilation hole. Each such owner, lessee, or operator shall, within ~~ten~~ 10 days from receipt of such notice, file with the Chief any objection which he may have to the proposed location. The Chief may, if he deems necessary, allow five (5) additional days before the issuance of any permits to drill.

RULE 3: ISSUANCE OF PERMIT WHEN NO OBJECTIONS FILED

PART III. ISSUANCE OF PERMIT WHEN NO OBJECTIONS FILED.

§ 3.1. Upon the filing of an application for a permit to drill vertical mine ventilation hole, the Chief shall, if no objection has been made within the specified ~~ten~~ 10 day period to such drilling by any person to whom notice is required to be sent, issue the requested permit.

Any permit so issued shall recite the filing of an application for a permit to drill and a plat or map showing the proposed location of the hole and other required information, that no objection has been made to the proposed location by any interested person, or found by the Chief, that the same is approved and the mine operator is authorized to proceed to drill vertical mine ventilation hole at such location.

RULE 4: WHEN OBJECTIONS FILED; HEARING; ISSUANCE OF PERMIT AFTER

HEARING AND AGREEMENT ON LOCATION

PART IV. WHEN OBJECTIONS FILED; HEARING; ISSUANCE OF PERMIT AFTER HEARING AND AGREEMENT ON LOCATION.

§ 4.1. If any objection or objections are filed by any person having an interest in such land or adjacent lands, the Chief shall notify the applicant for permit of the character of the objections and by whom made and fix a time and place for a hearing, not less than ~~ten~~ 10 nor more than ~~forty~~ 40 days after the original filing of the application for a permit to drill, at which hearing such objections will be considered, of which every person to whom notice was required to be sent shall be given at least five days written notice. At such hearing the applicant, or any person filing objections, and all other interested persons shall proceed to consider the location and objection thereto, and to agree upon the location either as made or so moved as to satisfy all objections and satisfy the Chief, and any change in the original location so agreed upon shall be indicated on the plat or map on file with the Chief. Whereupon the Chief shall issue to the applicant a drilling permit reciting the filing of an application for a permit to drill and a plat or map showing the proposed location of the hole and other required information, that at a hearing duly held the location shown was agreed upon and approved, and that the applicant is authorized to drill at such location.

RULE 5: FIXING LOCATION OF HOLE PENETRATING WORKABLE COAL BED

PART V. FIXING LOCATION OF HOLE PENETRATING WORKABLE COAL BED

§ 5.1. If the requested location is such that the mine ventilation hole would penetrate a workable coal bed, then the Chief shall fix the location on such tract of land as near to the requested location as possible in a pillar of suitable size, through which the ventilation hole can be drilled safely, taking into consideration the dangers from creeps, squeezes or other disturbances due to the extraction of coal. Should no such pillar exist, the ventilation hole may be located and drilled through open workings where, in the judgement of the Chief, it is practicable and safe to do so, taking into consideration the dangers from creeps, squeezes and other disturbances. The Chief shall be governed by the information contained in Attachments (1) and (2) in making his decision as to the location of the proposed vertical mine ventilation hole.

RULE 6: RECORDS TO BE KEPT BY CHIEF

PART VI. RECORDS TO BE KEPT BY CHIEF.

§ 6.1. The Chief shall number, index and keep as a permanent record each application, plat or map and notice

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filed with him and shall record the name of the applicant, names of the persons notified and their addresses, the date of receipt of any such application, plat or map and all objections filed, dates of hearings and all actions taken by the Chief and permits issued or refused, which records shall be open to inspection by the public.

RULE 7: REVIEW OF ACTION OF CHIEF

PART VII. REVIEW OF ACTION OF CHIEF

§ 7.1. Any person aggrieved by any action of the Chief in fixing or approving any location for the drilling of a vertical mine ventilation hole, or by the issuance of or refusal to issue any drilling permit, shall have the right to apply to the circuit court of the county wherein the location lies for review of the Chief's decision.

RULE 8: HOW A MINE VENTILATION HOLE PENETRATING WORKABLE COAL BED TO BE DRILLED AND CASED

PART VIII. HOW A MINE VENTILATION HOLE PENETRATING WORKABLE COAL BED TO BE DRILLED AND CASED.

§ 8.1. A mine ventilation hole penetrating one or more workable coal beds shall be drilled to such depth, and of such size, as will permit the placing of casing and packers in the hole at such point and in such manner as will exclude all fresh or salt water, oil, gas or gas pressure from the coal bed, except such as may be found in the coal bed itself.

A. For mine ventilation holes drilled on the valley floor, for protection of fresh water supplies the necessary amount of surface casing (normally 9-5/8 inch O.D.) shall be set and cemented back to surface. When the hole has been reduced and completed, the production casing string (normally 7 inch O.D.) shall be cemented from the packer collar above the slotted casing at the bottom back to the surface. (See Figure 1)

B. For mine ventilation holes which penetrate virgin coal or barrier, a large enough hole shall be drilled to a depth of 50 feet below the coal bed to allow placement of a liner (normally 9-5/8 inch O.D.) through the coal and then the hole may be reduced and completed. The liner may be welded to the production casing string and these shall be cemented from the packer collar above the slotted casing back to the surface. (See Figure 2)

C. For mine ventilation holes which penetrate a mined out area in an active mine, a large enough hole shall be drilled to a depth of 50 feet below the coal bed to allow placement of a liner through the bed, and then the hole may be reduced and completed. The liner may be welded to the production casing string and a cement basket placed directly above the liner. The casing shall be cemented

from the packer collar above the slotted casing on the bottom of the production string back up to the mined out area and from the cement basket to the surface. (See Figure 3)

D. For mine ventilation holes which penetrate a mined out area in an abandoned mine, the large hole shall be drilled to a depth of 50 feet below the coal bed and then the hole may be reduced and completed. The liner will not be required through the mined out area. The production casing string shall be set and cemented in from the packer collar above the slotted casing at the bottom back up to the mined out area and from the cement basket above the mined out area to the surface. (See Figure 4)

RULE 9: MINE VENTILATION HOLE PENETRATING MINE OTHER THAN COAL MINE

PART IX. MINE VENTILATION HOLE PENETRATING MINE OTHER THAN COAL MINE.

§ 9.1 In the event that a permit is requested to drill a mine ventilation hole in such a location that it would penetrate any active or abandoned mine other than a coal mine, the Chief may by regulation establish the safety precautions to be followed by the ventilation hole operator, which shall conform to standard safety measures generally followed in the industry in such cases.

RULE 10: DEVIATION TESTS

PART X. DEVIATION TESTS.

§ 10.1. All mine ventilation holes shall be drilled with due diligence to maintain a reasonably vertical hole bore. Upon completion of each mine ventilation hole, a directional survey shall be run to determine the exact location of the hole bore at total depth and at the points where the hole passes through all workable coal beds.

§ 10.2. A hole may be intentionally deviated from the vertical only after written permission has been granted by the Chief or an authorized agent thereof, and provided further, that such permission shall not be granted without due notice and hearing, if such is required in the opinion of the Chief.

§ 10.3. A copy of the directional survey for each mine ventilation hole must be filed with the Chief within ~~thirty~~ { 30 } days after completion of the hole. All mining operations affected by the ventilation hole shall be furnished a copy of the directional survey and its interpretation.

§ 10.4. The Chief shall have the right to require the operator to make a directional survey of any hole, at anytime prior to the completion of the hole at the expense of the operator, in order to ascertain that the hole has not

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deviated from a reasonably vertical direction.

RULE 11: MINING OPERATIONS NEAR MINE VENTILATION HOLES

PART XI. MINING OPERATIONS NEAR MINE VENTILATION HOLES.

§ 11.1. Before removing any coal or other mineral, or extending any mine workings or mining operations within ~~five hundred~~ 500 feet of any mine ventilation hole, the operator of such mine shall give notice by registered mail to the ventilation hole operator and to the Chief and forward therewith an accurate map or maps on a scale, to be stated thereon, of ~~one hundred~~ 100 to ~~four hundred~~ 400 feet to the inch showing its mine workings and projected mine workings beneath such tract of land or within ~~five hundred~~ 500 feet of such ventilation hole. Following the giving of such notice and the furnishing of such map or maps, the mine operator may proceed with mining operations as projected on such map or maps, but shall not remove any coal or other mineral or conduct any mining operations nearer than ~~two hundred~~ 200 feet to any completed hole or hole that is being drilled, or for the purpose of which drilling a derrick is being constructed, without the consent of the Chief.

§ 11.2. Application may be made at any time to the Chief by the mine operator for leave to conduct mining operations within ~~two hundred~~ 200 feet of any such hole or projected hole on forms furnished by the Chief and containing such information as the Chief may require. Such application shall be accompanied by a map or maps as above specified showing all mining operations or workings projected within ~~two hundred~~ 200 feet of the hole or projected hole. Notice of such application shall be sent by registered mail to the mine operator whose ventilation hole may be affected. The Chief may, prior to considering the application, make or cause to be made any inspections or surveys which he deems necessary, and may, if no objection is filed by the ventilation hole operator, grant the request of the mine operator to conduct the mining operations as projected, or with such modifications as he may deem necessary. If the ventilation hole operator files objections a hearing will be held under the same procedures as set forth in Rule 4 PART IV. The Chief shall be governed by the information contained in Attachments (1) and (2) in making his decision as to the location of the proposed mine ventilation hole.

RULE 12: NOTIFICATION OF INTERESTED PERSONS

PART XII. NOTIFICATION OF INTERESTED PERSONS

§ 12.1. When an application to drill a vertical mine ventilation hole has been made and all interested persons notified as required in Rule 2 PART II., all such interested persons who are owners, lessees, or operators of

any coal seams which are located above the ~~Pocahontas No. 3 Seam~~ seam from which methane gas is to be removed shall furnish information to the Division of Mines regarding the elevations and thicknesses of these seams, if known, so that a decision can be made by the Chief prior to the drilling of the hole as to which seams will require protection by use of a liner as described in Rule 8 PART VIII.

RULE 13: PROCEDURE FOR ABANDONMENT

PART XIII. PROCEDURE FOR ABANDONMENT

§ 13.1. When it is determined by the Chief that a vertical mine ventilation hole is no longer useful for venting methane gas from a gob area or relieving gas pressure from an abandoned area of a mine, and for any other useful and safe purpose as approved by the Chief, such hole shall be plugged and abandoned according to methods and procedures which shall be approved by the Chief.

ATTACHMENT NO. 1 SPECIFICATIONS FOR PILLAR PLANS AROUND VERTICAL MINE VENTILATION HOLES

1. The pillar or pillars comprising the required pillar plan should be the form of a square.
2. The hole should be centrally located within the required pillar plan.
3. The required pillar plan should conform to the following specifications, wherein the greatest depth of cover shall be used in each range to determine the total bearing area.

Cover	Req'd Solid Pillar Area	Req'd Additional Pillar Area (Solid or Split)	Total Area Bearing Surface Required
0- 99 ft.	1,600 sq. ft.	-	1,600 sq. ft.
100-149 ft.	3,600 sq. ft.	-	3,600 sq. ft.
150-249 ft.	5,625 sq. ft.	-	5,625 sq. ft.
250-349 ft.	10,000 sq. ft.	-	10,000 sq. ft.
350-449 ft.	10,000 sq. ft.	5,600 sq. ft.	15,600 sq. ft.
450-549 ft.	10,000 sq. ft.	13,000 sq. ft.	23,000 sq. ft.
550-649 ft.	10,000 sq. ft.	22,000 sq. ft.	32,000 sq. ft.
650- (plus)	10,000 sq. ft.	30,000 sq. ft.	40,000 sq. ft.

Note 1. 40,000 square feet is the maximum bearing area except under unusual conditions.

Note 2. As to the additional pillar area required, the following specifications must be adhered to:

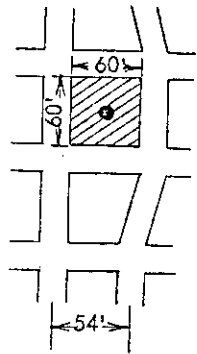
- a. The excavated area shall not exceed 15 feet in width, or a width wide enough to accommodate the type of equipment being used in the mine together with the law requirements on clearance. If more than 18 feet in width is required, then additional pillar support shall be provided.

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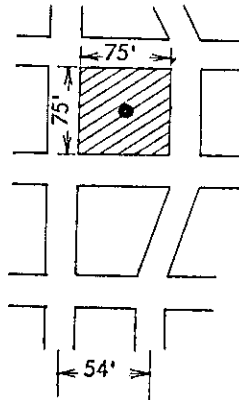
b. The shortest pillar dimension shall not be less than twice the width of the excavated area.

Note 3. The split pillar plan is intended to facilitate mining operation haulage, ventilation, drainage, etc., without destroying the value of the pillar plan.

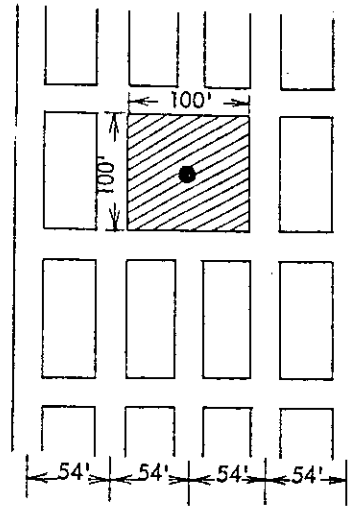
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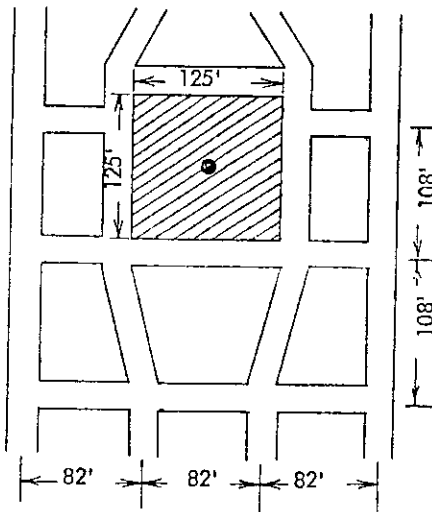
COVER 0' To 149'



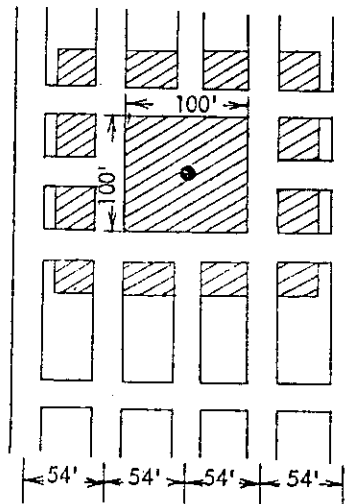
COVER 150' To 249'



COVER 250' To 349'
(Min. 10,000 Sq.Ft. Bearing Area)

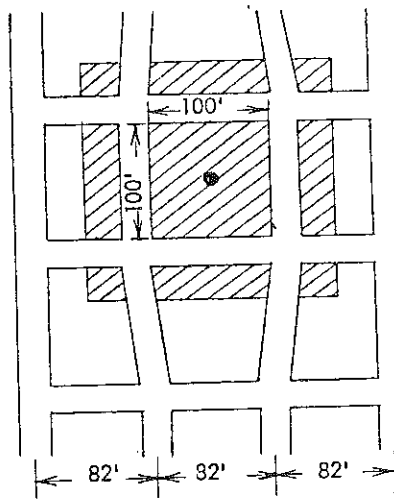


(Min. 15,600 Sq.Ft. Bearing Area)

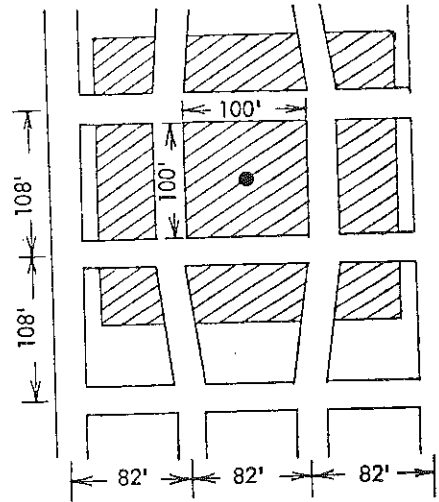


(Min. 22,000 Sq.Ft. Bearing Area)

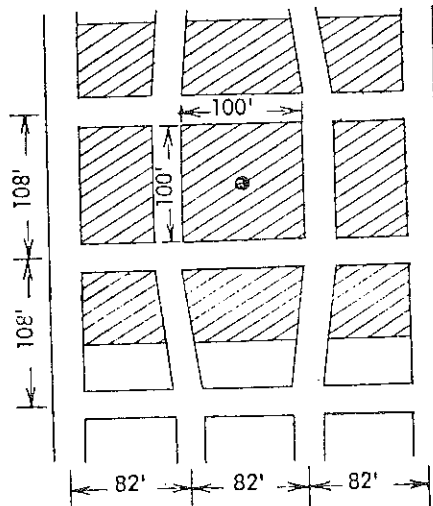
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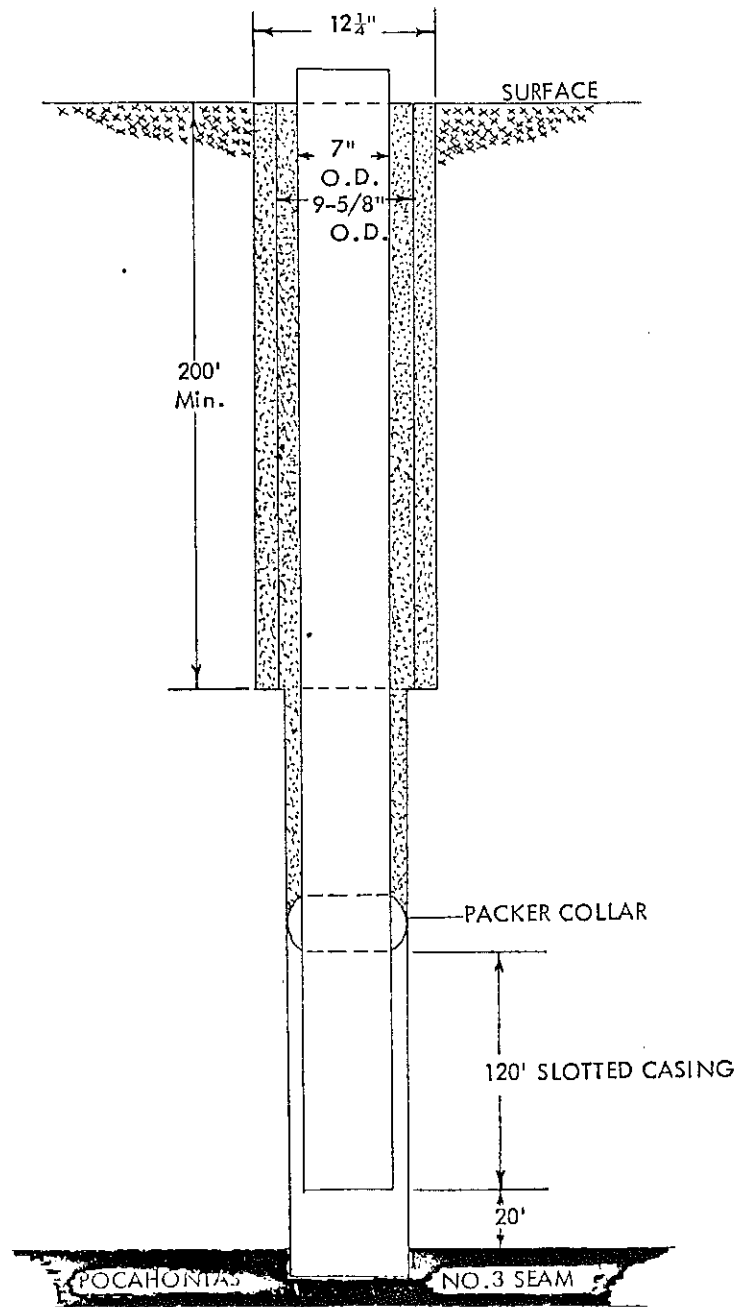
COVER 450' To 549'
(Min. 23,000 Sq. Ft. Bearing Area)



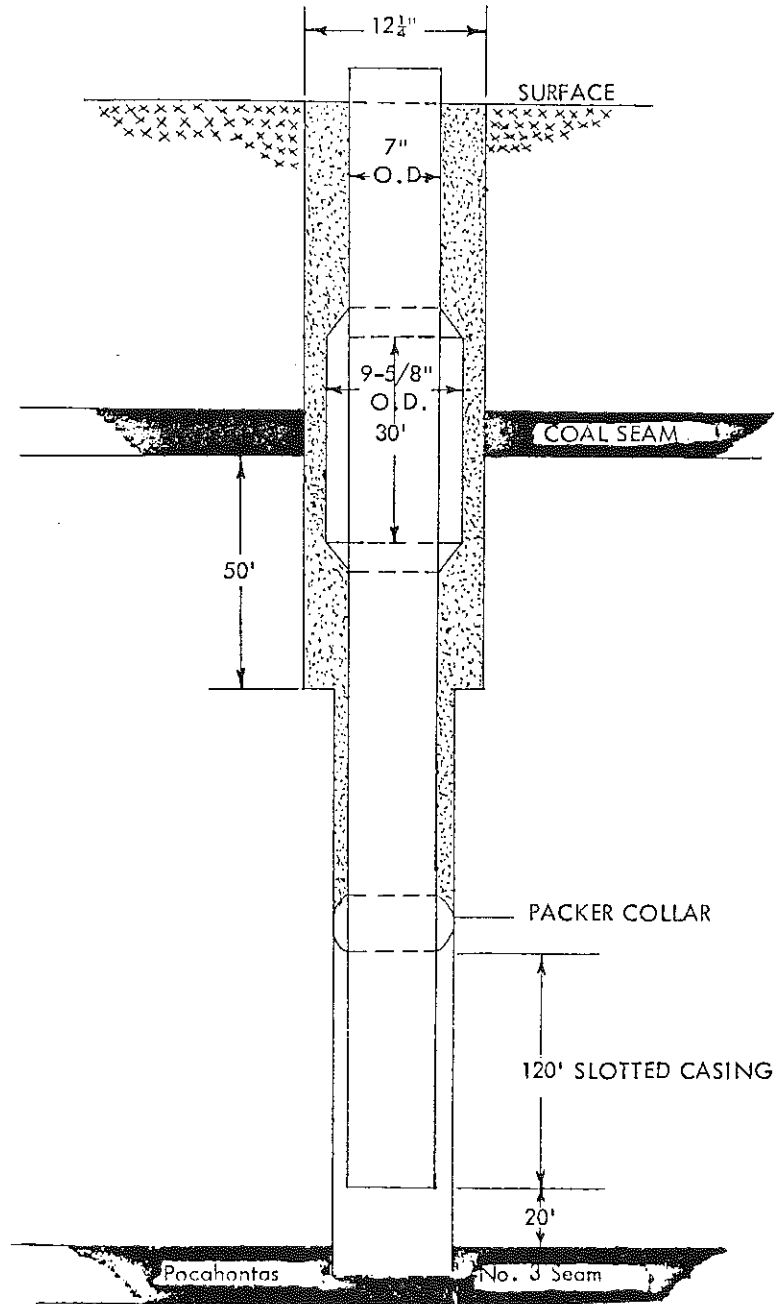
COVER 550' to 649'
(Min. 32,000 Sq. Ft. Bearing Area)

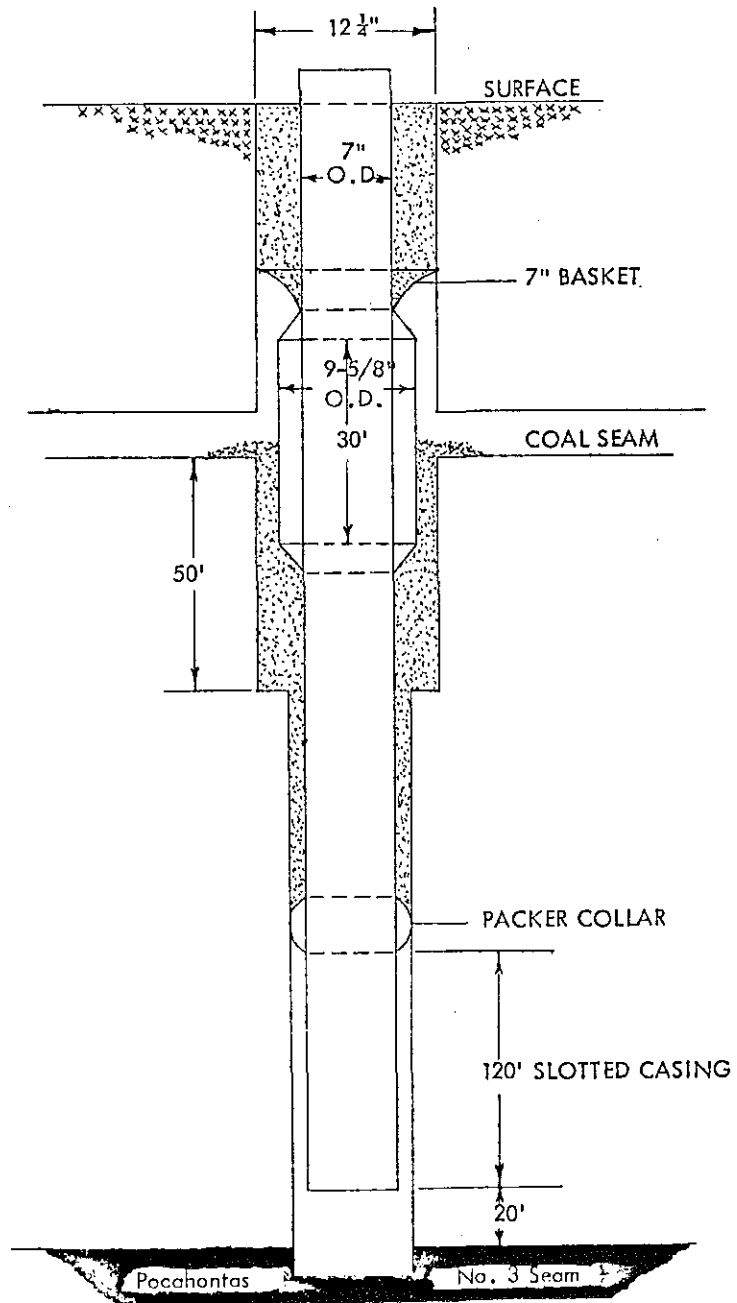


COVER 650' To 700' +
(Min. 40,000 Sq. Ft. Bearing Area)

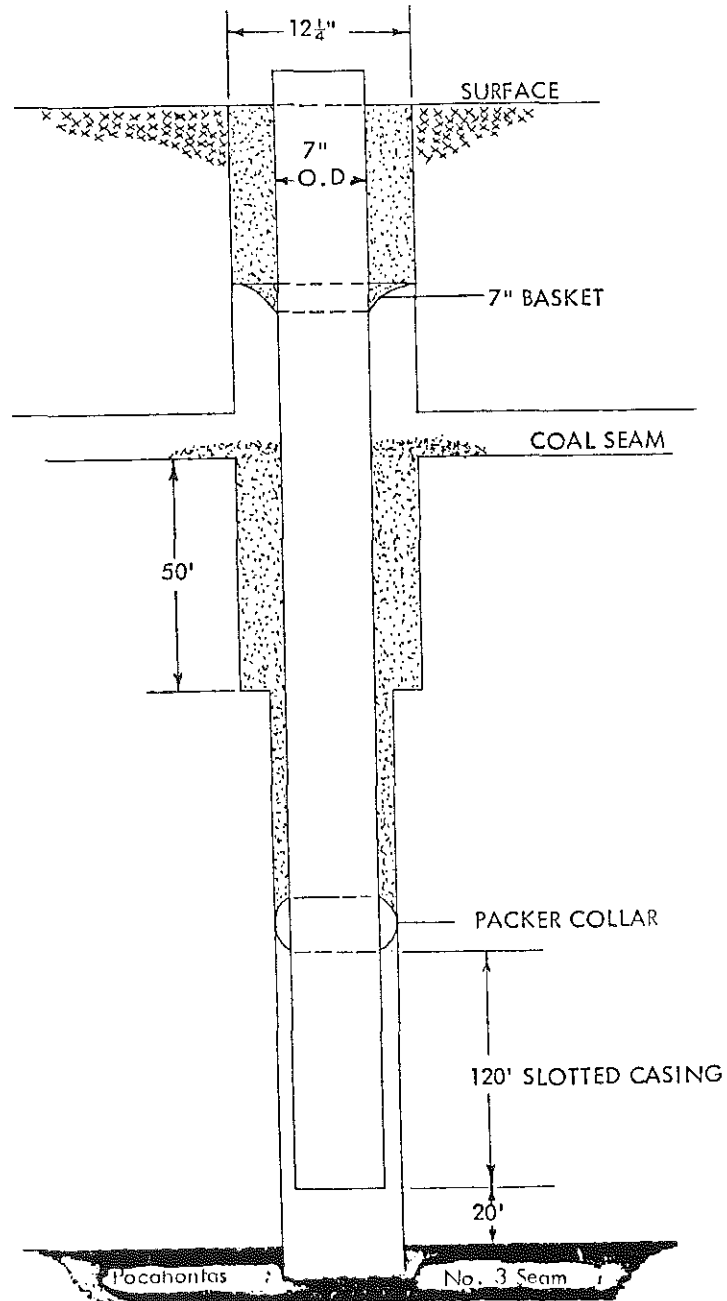


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Title of Regulations: VR 480-05-97. Rules and Regulations Governing Blasting In Surface Mining Operations.

Statutory Authority: § 45.1-104 (b1) of the Code of Virginia

Public Hearing Date: September 12, 1985 - 9:30 a.m.
(See Calendar of Events Section for additional information)

Summary:

The regulation addresses the requirements for control of blasting activities at surface mining operations. The revisions in the regulation primarily address the areas of blast noise and vibration. The revisions are the result of advancement in technology in these areas.

RULE 1: DEFINITIONS

PART 1. DEFINITIONS.

§ 1.1. The following words and terms, when used in these regulations, shall have the following meanings, unless the context clearly indicates otherwise:

(1) "Actual distance" shall mean means the distance in feet from the blast location to the nearest dwelling house, public building, school, church, or commercial or institutional building neither owned nor leased by the person conducting the blast.

(2) "Approved" shall mean means approved by the Division of Mines and Quarries or other recognized agencies.

(3) "Barricade" shall mean means natural features of the ground such as hills, timber of sufficient density that surrounding exposures cannot be seen when the trees are bare of leaves, or an efficient artificial barricade consisting of an artificial mound or properly revetted wall of earth not less than three (3) feet thick at the top.

(4) "Charge weight" shall mean means the weight in pounds of an explosive charge.

(5) "Delay interval" shall mean means the time interval in milliseconds between successive detonations of the delay devices used.

(6) "Division" shall mean means the Division of Mines and Quarries .

(7) "Establishment" shall mean means any place within the Commonwealth of Virginia where work is done for compensation, to whomever payable, supervision over which has been given by statute to the Division of Mines and Quarries .

(8) "Highway" shall mean means and include includes any public street, public alley or public road.

(9) "Inhabited building" shall mean means a building regularly occupied in whole or in part as a habitation for human beings, or any church, schoolhouse, railroad station, store, or other structure where people are accustomed to assemble, except any building or structure occupied in connection with the manufacture, transportation, storage or use of explosives.

(10) "Magazine" shall mean means a building or structure, other than a factory building, designed to be used exclusively for the storage of explosives.

(11) "Person" shall mean means and include includes individuals, firms, partnerships, associations, corporations, receivers , or any officer of the Commonwealth , or any agent or officer of the above-mentioned classes employing any person in this Commonwealth.

(12) "Primer" shall mean means a package or cartridge of explosives which is specifically designed to transmit detonation to other explosives and blasting agents, and which contains a detonator or detonating cord.

(13) "Railroad" shall mean means and include includes any steam, electric or other motive-powered transportation systems operating on track which carries passengers for hire, or over which loaded or empty equipment is transported.

(14) "Scaled distance (Ds)" shall mean means the actual distance (D) in feet divided by the square root of the maximum explosive weight (W) in pounds that is detonated per delay period for delay intervals of eight (8) milliseconds or greater; or the total weight of explosive in pounds that is detonated within an interval less than eight (8) milliseconds.

This means

$$\text{that} \quad \text{Scaled Distance} = \frac{\text{Actual Distance}}{\sqrt{\text{Charge Wt. Per Delay Period}}}$$

$$\text{Thus,} \quad D_s = \frac{D}{\sqrt{W}}$$

(15) "Stemming" shall mean means that inert material placed in a borehole after the explosive charge for the purpose of confining the explosion gases in the borehole or that inert material used to separate the explosive charges (decks) in decked holes.

(16) "Subcharge" shall mean means a quantity of explosive or equivalent that is to be detonated within a

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period of less than one millisecond.

(17) "Surface mine" shall mean means an open pit excavation from which coal or other minerals are produced for sale, exchange, or commercial use; and includes all buildings and equipment above the surface of the ground used in connection with such mining.

(18) "Vehicle" shall mean means any rolling stock or equipment, whether self-propelled or otherwise, and shall include includes all trailers.

RULE 2: CERTIFICATION

PART II. CERTIFICATION.

(A) § 2.1. By the authority provided in Section § 45.1-12 of the Code of Virginia, the Board of Mine Examiners will require on and after June 30, 1975, that all blasters be certified by such Board.

(B) § 2.2. Between June 30, 1975, and December 31, 1975, all persons who have performed blasting at any surface mine in this State Commonwealth for a period of one year, previous to June 30, 1975, may be certified without examination. The applicant must file an application and furnish proof of experience to the Board.

(C) § 2.3. After January 1, 1976, all blasters must pass a written examination, prescribed by the Board, and have worked at least one year with or under the direction of a certified blaster.

(D) § 2.4. The Board may grant certificates to persons holding a certificate issued by another state, providing provided that the requirements for a certification in such state are substantially equivalent to those of Virginia.

RULE 3: BLASTING STANDARDS

PART III. BLASTING STANDARDS.

(A) In all blasting operations, except as hereinafter otherwise provided, the maximum peak particle velocity of the ground motion in any direction shall not exceed two inches per second immediately adjacent to the location of any dwelling house, public building, school, church, commercial or institutional building, except that buildings designed to withstand more than two inches per second peak particle velocity, the blaster does not have to comply with this standard.

§ 3.1. Ground vibration - In all blasting operations, except as otherwise authorized herein, the maximum ground vibration shall not exceed the values listed in Table 3-A. The maximum ground vibration adjacent to the location of any dwelling house, public building, school, church, or commercial or institutional building shall be established in accordance with either the maximum peak particle

velocity limits of Table 3-A of this section, the scaled distance equation, the blasting level chart of Table 3-B, or by regulatory authority under § 10.

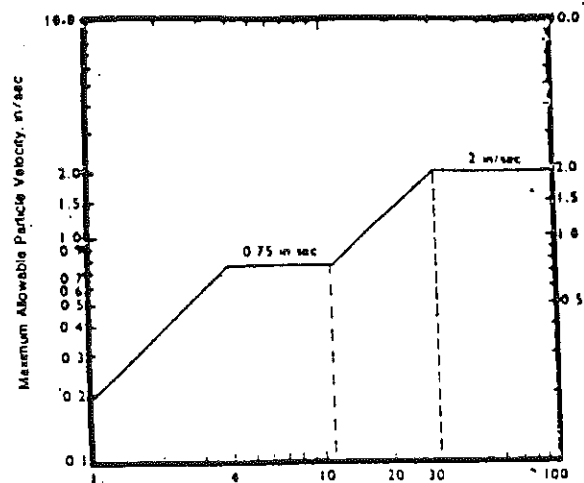
TABLE 3-A MAXIMUM PEAK PARTICLE VELOCITY

Distance (D), from blasting site in Feet	Maximum Allowable Peak Particle Velocity (Vmax) For Ground Vibration, in Inches/Second.	Scaled Distance Factor to be Applied Without Seismic Monitoring.
	1	2
0 to 300-----	1.25	50
301 -5000-----	1.00	55
5001 and beyond-----	0.75	65

1. Ground vibration shall be measured as the particle velocity. Particle velocity shall be recorded in three mutually perpendicular directions. The maximum allowable peak particle velocity shall apply to each of the three measurements.

2. Applicable to the scaled-distance equation of § 3.3.

TABLE 3-B



BLAST VIBRATION FREQUENCY, Hz
Alternative blasting level criteria
(Source modified from figure B-1, Bureau of Mines R(8507))

If the figures are used, a seismographic record including both particle velocity and vibration-frequency levels shall be provided for each blast. The method for the analysis of the predominant frequency contained in the blasting records shall be approved by

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the regulatory authority before application of this alternative blasting criterion.

An operator may use the ground-vibration limits in Table 3-B to determine the maximum allowable ground vibration.

(B) § 3.2. This ground velocity limit is not construed to mean a property owned, leased, or contracted by the blaster or blaster's company or on property on which the owner gives a written waiver.

(C) § 3.3. Where seismic instrumentation is not employed, the United States Bureau of Mines has recommended that the maximum charge per delay period (W) be determined by the formula:

$$W = \left(\frac{D}{50} \right)^2$$

$$W = \left(\frac{D}{D_s} \right)^2$$

where (W) is the weight of explosive in pounds per delay and (D) is the distance in feet to the nearest dwelling house, public building, school, church, or commercial or institutional building. On sites where the Division decides it necessary not to comply with the provision of the law this formula may be altered.

(D) § 3.4. If on a particular site the peak ground particle velocity continuously exceeds one-half inch per second after a period of one second following the maximum ground particle velocity, the Division shall require the charge per delay to be reduced so that this limit is complied with ; . This applies where short delays are being used.

(E) § 3.5. Any deviation from the formula $W = \left(\frac{D}{50} \right)^2$ found in Rule (3) (C) § 3.3. , a nationally accepted formula, shall be supported by seismic instrumentation according to an approved test plan. The test plan shall be designed to establish the scaled distance for a given operation which will not produce particle velocities greater than 2.0 inches per second prescribed in Table 3-A and Table 3-B, at the nearest building as defined in Rule (1) (9) PART I . The plan shall be approved by the Chief Mine Inspector of the Division of Mines prior to testing. When said tests have been completed, a qualified seismologist shall certify the seismic analyses to be submitted to the Chief Mine Inspector of the Division of Mines .

EXAMPLE: Given an actual distance of 1,000 feet and a Charge Weight per delay period of 400 pounds, find the Scaled Distance:

$$D_s = \sqrt{\frac{1000}{400}} = \frac{1000}{20} = 50$$

Once the safe minimum Scaled Distance has been determined, the safe maximum Charge Weight per delay for any blast can be determined by use of the relationship:

$$W = \left(\frac{D}{D_s} \right)^2$$

Thus,

$$\text{Charge Weight} = \left(\frac{\text{Actual Distance}}{\text{Scaled Distance}} \right)^2$$

EXAMPLE: Given an Actual Distance of 1,000 feet and a Scaled Distance of 50, find the Charge Weight.

$$\text{Charge Weight} = \left(\frac{1000}{50} \right)^2 = (20)^2 = 400 \text{ lbs.}$$

(F) § 3.6. In lieu of Section (E) § 3.5, the operator may choose to record every blast. The seismic data shall be available for inspection at any time by the Chief Mine Inspector of the Division of Mines or his designated representative and shall be retained by the operator for a minimum of three (3) years. As long as the seismographic records indicate particle velocities of 2.0 inches per second or less, prescribed in Table 3-A and Table 3-B, the operator shall be considered to be in compliance with state law.

(G) § 3.7. If explosive charges of greater than 40,000 pounds are necessary, a permit must be obtained from the Division of Mines and Quarries . The Division shall consider each case on its own merits in making a determination as to whether or not to grant such a permit.

RULE 4: SEISMOGRAPH MEASUREMENTS

PART IV. SEISMOGRAPH MEASUREMENTS.

(A) § 4.1. If a blaster feels that the standard is too conservative, he may on ten (10) days ' notification of the Division of Mines and Quarries use seismograph measurements and increase the charge per delay period, provided that the velocity of two (2) inches per second limit is not violated, complies with Table 3-A and Table 3-B . He must use the seismograph on every shot thereafter until the new standard is approved. If the

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blaster decides to return to the use of the original standard, he may do so by notifying the Division ~~ten~~ ≤ 10 days in advance.

~~(B)~~ § 4.2. If a blaster considers the standard too conservative for his particular area, he may upon submission of seismograph reports, petition for a modified standard for blasting operation at that particular site but in no case shall the Division allow a standard that would permit velocities above the ~~2 inch per second limit~~ *limits prescribed in Table 3-A and Table 3-B*.

~~(C)~~ § 4.3. In making seismograph determination of the velocity at a particular position, the formula shall be used:

$$v = v_0 \left(\frac{D_0}{D} \right)^{1.5}$$

Where (v_0) is the maximum ground particle velocity at the seismograph, (D_0) is the distance of the seismograph from the blast and (D) is the distance from the blast to the position in question and in the same general direction. The distance (D_0) may not be greater than (D) and (D) cannot be more ~~the~~ *then five* ~~(5)~~ times (D_0). This determined velocity at the site dwelling house, public building, school, church, or commercial or institutional building shall not exceed the ~~two~~ ≤ 2 *inches per second limit prescribed limits in Table 3-A and Table 3-B*.

~~(D)~~ § 4.4. In seismic ~~test~~ *tests* for compliance or petition, the analysis of seismic data shall be conducted and analysed by a qualified seismologist.

~~(E)~~ § 4.5. If there is reason to believe a blaster is operating illegally under the provisions of these regulations, the Division may require a seismograph recording of any or all blasts.

RULE 5: INSTRUMENTATION

PART V. INSTRUMENTATION.

~~(A)~~ § 5.1. All three-component portable displacement seismographs currently in use will be approved until further notice by the Division of Mines and Quarries.

~~(B)~~ § 5.2. A direct reading velocity instrument shall be approved by the Division of Mines and Quarries, only if it has a frequency response of the instrument of ~~5~~ *five* cycles per second to 150 cycles per second or greater, a velocity range from ~~zero~~ *0.0* to 2.0 in/sec. or greater, adheres to design criteria for portable seismographs as outlined in USBM R1-5708, USBM R1-6487, and meets such standards as are established from time to time by the Division of Mines and Quarries.

~~(C)~~ § 5.3. Three-component instruments of both the direct reading velocity type having internal calibration capability and the displacement type will be approved by the Division of Mines and Quarries for use as follows.

~~1~~ A. Particle velocity reading may be calculated from results obtained by a displacement instrument or obtained from an approved direct reading velocity instrument in any blasting operation where all of the following conditions exist:

- a- 1. Recording distance is over 200 feet from the blast ;
- b- 2. Scaled distance is numerically greater than 25 ;
- e- 3. The predominant frequency of the ground motion is 40 cycles per second or less.

~~2~~ B. A direct reading velocity instrument will be required in any blasting operation where all of the following conditions exist:

- a- 1. Recording distance is less than 200 feet from the blast ;
- b- 2. Scaled distance is numerically less than 50.

~~3~~ C. A direct reading velocity instrument will be required in any blasting operation where all of the following conditions exist:

- a- 1. Recording distance is more than 200 feet from the blast ;
- b- 2. Scaled distance is numerically less than 25.

~~4~~ D. A direct reading velocity instrument will be required in any blasting operation where all of the following conditions exist:

- a- ~~1~~ Recording distance is more than 200 feet from the blast . ;
- b- 2. The predominant frequency of the ground motion is in excess of 40 cycles per second. Scaled distance is defined as:

$$D_s = \frac{D}{\sqrt{W}}$$

where (D) is the actual distance in feet and (W) is the maximum weight of explosives in pounds per delay period of ~~eight~~ ≥ 8 milliseconds or greater.

RULE 6: RECORDS

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PART VI. RECORDS.

(A) § 6.1. A record of each blast shall be kept. All records including seismograph reports shall be retained at least three years and shall be available for inspection by the Division of Mines and Quarries and shall contain the following minimum data:

1. Name of company or contractor ; ;
2. Location, date and time of blast ; ;
3. Name, signature and social security number of blaster in charge ; ;
4. Type of material blasted ; ;
5. Number of holes, burden and spacing ; ;
6. Diameter and depth of holes ; ;
7. Types of explosives used ; ;
8. Total amount of explosives used ; ;
9. Maximum amount of explosives per delay period of eight (8) milliseconds or greater ; ;
10. Method of firing and type of circuit ; ;
11. Direction and distance in feet to nearest dwelling house, public building, school, church, or commercial or institutional building neither owned nor leased by the person conducting the blasting ; ;
12. Weather conditions (including such factors as wind directions, etc.) ; ;
13. Height or length of stemming ; ;
14. If mats or other protections were used ; ;
15. Type of delay electric blasting caps used and delay periods used ; ;
16. The person taking the seismograph reading shall accurately indicate the exact location of seismograph, if used, and shall also show the distance of seismograph from blast ; ;
17. Seismograph records, including seismograph readings, where required:
 - a. Name and signature of person operating seismograph ; ;
 - b. Name of person analyzing the seismograph record ; ;
 - c. Seismograph reading.
18. Maximum number of holes per delay period of

eight (8) milliseconds or greater.

RULE 7: BLASTING SAFETY

PART VII. BLASTING SAFETY.

(A) § 7.1. When blasting operations, other than those conducted at a fixed site as a part of any industry or business operated at such site, are to be conducted within two hundred 200 feet of a pipe line, or high voltage transmission line, the blaster or person in charge of the blasting operations shall take due precautionary measures for the protection of the line, and shall notify the owner of the line or his agent that such blasting operations are intended.

(B) § 7.2. Blasting operations near streams shall be prohibited in all cases where the effect of the blasting is liable to change the course or channel of any stream without first obtaining a permit from the Division which has been approved by the Division of Mines and Quarries

(C) § 7.3. Mudcapping in blasting operations shall be permitted only where the driller would be in a hazardous position in attempting to drill the rock or material to be blasted.

(D) § 7.4. All trunk lines of detonating cord should be covered, except that trunk lines of detonating cord must be covered if located within eight hundred 800 feet of any public highway, dwelling house, public building, school, church, or commercial or institutional building.

When the use of detonating cord could cause severe air blast problems, the Division of Mines may require all trunk lines to be covered with a minimum of six inches of loose earth.

(E) § 7.5. In blasting operations, fly rock is considered most hazardous and will not be tolerated. For the purpose of this paragraph, fly rock shall be considered as any uncontrolled material generated by the effect of a blast and that would be potentially hazardous to personnel and/or property.

(F) § 7.6. When operating near a highway, traffic must be stopped at a safe distance. Blasted material, if thrown on a public road, must be removed promptly. Regular blasting areas should be posted with warning signs.

(G) § 7.7. Where a blasting operation is conducted in the vicinity of an active deep mine, the blaster shall observe all procedures necessary to secure the health and safety of the underground mine workers.

(H) § 7.8. Blasting operations shall be conducted during daylight hours (one-half hour before sunrise to one-half hour after sunset) except by special permit issued by the Division of Mines and Quarries. Said permit is to be

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issued on the basis of safety.

(A) § 7.9. Misfires, hangfires, etc., shall be handled in accordance with Section § 45.1-50 ; of the of the Code of Virginia. In addition, all other sections of Title 45 ; of the Code of Virginia ; pertaining to blasting must be carried out.

(A) § 7.10. These rules do not supersede or repeal any existing laws or regulations pertaining to blasting or blasting practices applicable to surface mining operations.

**1977 SUPPLEMENT
EFFECTIVE FEBRUARY 15, 1977**

RULE 8: EVALUATION OF BLAST SITE

**PART VIII.
EVALUATION OF BLAST SITE.**

(A) § 8.1. If the Chief of the Division of Mines concludes that blasting complaints are excessive from residents living in the vicinity of an operation over which it has control, the Division may impose more stringent limits on ground vibration than that specified in Rules 3, 4, and 5, PART III, IV, and V, and limits may be imposed on blast noise levels. The Chief may order an evaluation of the blast site by a vibration consultant and a technical representative of the explosives manufacturer, if he deems it necessary, before imposing a more stringent limit. Blasting will be stopped until the results of the evaluation and recommendations are submitted to the Chief Mine Inspector of the Division of Mines and permission granted to resume blasting. These requirements will remain in effect until rescinded by the Chief Mine Inspector of the Division of Mines and Quarries.

RULE 9: MONITORING AND REPORTING

**PART IX.
MONITORING AND REPORTING.**

(A) § 9.1. Monitoring and reporting of all blasts will be continued until the Chief Mine Inspector of the Division of Mines is satisfied that vibration and blast noise standards are met.

RULE 10: AUTHORITY TO LOWER PARTICLE VELOCITY LIMIT

**PART X.
AUTHORITY TO LOWER PARTICLE VELOCITY LIMIT.**

(A) § 10.1. When a surface mine is within 2,000 feet of an inhabited building, with respect to ground vibration, the 2.0 inches per second ground particle velocity limit may be lowered to as low as .5 0.5 inches per second ground particle velocity.

RULE 11: NOTIFICATION, INHABITED BUILDINGS

**PART XI.
NOTIFICATION, INHABITED BUILDINGS.**

(A) § 11.1. When an operator applies for a mine license, he shall indicate on the application, the distance to the nearest inhabited building.

RULE 12: NOTIFICATION TO DIVISION WHEN APPROACHING INHABITED BUILDINGS

**PART XII.
NOTIFICATION TO DIVISION WHEN APPROACHING INHABITED BUILDINGS.**

(A) § 12.1. During the course of mining, if an operator approaches within 2,000 feet of an inhabited building, he shall notify the Division of Mines fifteen (15) days prior to reaching the 2,000 foot limitation.

RULE 13: AUTHORITY TO REQUIRE INSTRUMENTATION

**PART XIII.
AUTHORITY TO REQUIRE INSTRUMENTATION.**

(A) § 13.1. If requested by the property owner registering a complaint, and deemed necessary by the Chief, peak particle velocity measurements using approved instrumentation shall be made for all blasts adjacent to the structure in question to ensure that the more stringent ground vibration limit is not exceeded. All complaints will be verified by the Division of Mines before any action is taken.

RULE 14: NOISE BLAST LEVEL

**PART XIV.
NOISE BLAST LEVEL.**

(A) With respect to blast noise, the limit shall consist of the impulsive sound level of 140 db peak.

§ 14.1. Airblast shall not exceed the maximum limits listed below at the location of any private dwelling, public building, school, church, or community or institutional building. If necessary to prevent damage, the Division of Mines may specify lower maximum allowable airblast levels than those listed in Table 14 for use in the vicinity of a specific blasting operation.

Table 14 Airblast Limits

Lower Frequency Limit of measuring system, in Hz (+3db)	Measurement Level, db
0.1 Hz or Lower...Flat Response....	134 Peak
2 Hz or Lower.....Flat Response....	133 Peak
6 Hz or Lower.....Flat REsponse....	129 Peak
C-weighted.....Slow Response....	105 Peak d

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1. Only when approved by the regulatory authority.

RULE 16: CHIEF MAY REQUIRE CONTINUING MEASUREMENTS

PART XV. CHIEF MAY REQUIRE CONTINUING MEASUREMENTS.

(A) § 15.1. If requested by the property owner registering a complaint, and deemed necessary by the Chief, sound level measurements using approved instrumentation shall be made adjacent to the structure in question to ensure that the maximum noise level limit is not exceeded.

RULE 16: PENALTY FOR FAILING TO MODIFY BLASTING PROCEDURES WHEN ORDERED

PART XVI. PENALTY FOR FAILING TO MODIFY BLASTING PROCEDURES WHEN ORDERED.

(A) § 16.1. Surface mine operators shall make such modifications to their blasting procedures as are necessary to conform with the more stringent ground vibration limits and new blast noise limits when and if imposed by the Division of Mines and Quarries. Failure to make such modifications will result in an order prohibiting the loading or firing of any explosive charge(s).

Title of Regulations: VR 480-05-98. Rules and Regulations Governing Installation and Use of Cabs and Canopies.

Statutory Authority: § 45.1-104 (b1) of the Code of Virginia.

Public Hearing Date: September 12, 1985 - 9:30 a.m.
(See Calendar of Events Section for additional information)

Summary:

The regulation provides for the safety of equipment operators in coal mines from roof falls and from overhead obstructions. The revisions provide a more effective and workable regulation.

VR 480-05-98. Rules and Regulations Governing Installation and Use of Cabs and Canopies.

PART I. GENERAL REQUIREMENTS.

To provide the minimum protection, a registered engineer must certify to the Chief Mine Inspector that the cab or canopy proposed to be used meets the following minimum standards outlined below:

Rule 1 § 1.1. It must be designed for the mine in which it will be used.

Rule 2 § 1.2. So installed that the minimum structural capacities will support a dead load weight of 18,000 pounds. It must be structurally strong enough to withstand a side load of 4,000 pounds.

Rule 3 § 1.3. The deck plate or mounting must withstand the same load which the cab or canopy is designed to support. Where possible the structure must be mounted on the main frame of the equipment.

Rule 4 § 1.4. Cabs or canopies must have a minimum of six inches of overhead clearance below the lowest projection of the roof or roof supports, if it extends above the machine on which it is mounted, to prevent striking of the roof or roof supports.

A. The Mine Inspector may require twelve inches (12") of overhead clearance if evidence is present that indicates that more clearance is needed.

B. Where the seam height is less than seventy two inches (72"); special attention must be given to the design before any cabs or canopies are installed.

Rule 5 § 1.5. The visibility of the operator shall not be obstructed by the design of the cabs or canopy to the extent that the operator must "lean" out of the structure to see where he is going.

Rule 6 § 1.6. The structure shall be wide enough to protect the operator from side obstructions such as ribs, overhangs, timbers, etc.

A. The structure shall also be large enough so as not to restrict the operator to the extent that it would be hazardous for him to operate the machine.

Rule 7 § 1.7. Cabs or canopies that are adjustable must have minimum of clearance between segments. The bolt or pin used must withstand more than the shear weight of the designated load capacity.

Rule 8 § 1.8. The top plate must be "beveled" in the direction of travel to lessen the likelihood of dislodging or loosening roof supports.

Rule 9 § 1.9. Any other act or practice considered by the Chief Mine Inspector to be hazardous to the operator of the equipment or other mine personnel will result in an order requiring corrective measures.

Rule 10 § 1.10. Cabs or canopies for roof bolting machines will not be accepted as the sole means of temporary roof support unless they have been approved by the Chief Mine Inspector. They must be so designed as to be firmly positioned against the roof and mechanically held in place until permanent supports are installed. Unless the cab or canopy covers the entire area of unsupported roof to be bolted, safety jacks, or other adequate temporary supports, shall be installed in conjunction with the cab or canopy as prescribed in the roof support plan for the mine in which

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they are to be used.

Any violations of the above discovered by the State Mine Inspector shall result in a closure order being issued stating what constitutes the unsafe condition observed and the order shall specify that the equipment in question is not to be operated until the unsafe condition is corrected.

DEPARTMENT OF SOCIAL SERVICES

Title of Regulations: VR 615-01-6. Protective Payments in the Aid to Dependent Children (ADC) and Refugee Other Assistance Programs.

Statutory Authority: § 63.1-25 of the Code of Virginia.

Summary:

As set forth in § 63.1-25 of the Code of Virginia, the State Board of Social Services has been delegated the authority to promulgate rules and regulations necessary for operation of public assistance programs in Virginia. At the direction of the Board, the proposed amendment to the Aid to Dependent Children (ADC) and Refugee Other Assistance Programs has been approved for a 60-day public comment period.

It is the intent of the Board to allow continuation of assistance payments payable to the sanctioned caretaker relative for the remaining eligible assistance unit members if, after making reasonable efforts, the local agency is unable to locate an appropriate protective payee. Under current regulations, there is no provision for continuing payments to the sanctioned caretaker relative.

VR 615-01-6. Protective Payments in the Aid to Dependent Children (ADC) and Refugee Other Assistance Programs.

PART I.

§ 1.1. The following words and terms, when used in these guidelines, shall have the following meaning, unless the context clearly indicates otherwise:

"Caretaker relative" means the natural or adoptive parent or other relative of specified degree (i.e. aunt, uncle, grandparent, etc.) with whom the children reside who is responsible for supervision and care of the needy children and is the individual to whom the assistance payment is made.

"Employment Services Program" means a program operated by each locality which is designed to enhance employment, education and training opportunities for Aid to Dependent Children and Refugee Other Assistance recipients.

"Payee" means the person to whom the assistance payment is made payable. In most situations, the caretaker relative is the payee.

"Protective payee" means an appropriate individual to act for the caretaker relative in receiving and managing the total assistance payment. The protective payee should be someone who is interested and concerned with the welfare of the caretaker relative and his/her children.

"Sanctioned caretaker relative" means a caretaker relative whose needs are removed from the grant and who is ineligible for an assistance payment because he/she failed to participate in the Employment Services Program, or who failed to assign rights to child/spousal support or cooperate in establishing paternity and securing such support.

PART II.

§ 2.1. When a caretaker relative fails to participate in the Employment Services Program, or fails to assign rights to child/spousal support or cooperate in securing support or determining paternity, that individual's needs must be removed from the assistance grant and a protective payee appointed to receive and manage the financial assistance payment. At least every six months, the local agency must review the way in which the protective payee's responsibilities are being carried out. In situations where no other suitable protective payee can be found, it may be necessary for a staff member of a private agency, the local agency, the local department of social services, or other appropriate organization to serve as protective payee. If a staff member is designated protective payee, provisions for bonding this employee must be made. If the local agency cannot, after reasonable efforts, locate an appropriate individual to act as a protective payee, the sanctioned caretaker relative may continue to receive the assistance payment on behalf of the remaining assistance unit members. The final authority for determining that reasonable efforts to locate a protective payee have been made rests with the superintendent/director of each locality or may be delegated as deemed appropriate.

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Title of Regulations: VR 615-01-7. Standards of Need and Grouping of Localities in the ADC Program.

Statutory Authority: § 63.1-25 of the Code of Virginia

Public Hearing Date:

August 20, 1985 - 2 p.m. & 7 p.m.
August 22, 1985 - 2 p.m. & 7 p.m.
August 29, 1985 - 2 p.m. & 7 p.m.
September 4, 1985 - 2 p.m. & 7 p.m.
September 11, 1985 - 2 p.m. & 7 p.m.
(See Calendar of Events Section
for additional information)

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Summary:

Section 63.1-25 of the Code of Virginia, provides the State Board of Social Services with the statutory authority to promulgate rules and regulations related to operation of public assistance programs. Section 63.1-110 of the Code of Virginia provides the State Board of Social Services with the specific authority to set Standards of Need and to group localities into payment groups to ensure a reasonable level of subsistence and the most equitable payment of public assistance grants.

Standards of Need are to be a reasonable reflection of the cost-of-living in Virginia, and are utilized primarily to (i) determine eligibility for the Aid to Dependent Children Program, and (ii) provide a base against which payment levels for that program can be established, either 100% of the Standards of Need, or at a ratable reduction from the Standards of Need. In determining eligibility for the Aid to Dependent Children Program, there are three screens:

1. 185% Screen - total gross family income, both earned and unearned, is screened at 185% of the state's Standard of Need;
2. Determination of Need - earned income, minus appropriate income disregards, is combined with the gross countable unearned income and screened at the appropriate payment level. Payment levels are defined in terms of the Standards of Need to reflect available state program appropriations, and are currently set at 90% of the Standards of Need established in 1973.
3. Grant Calculation - earned income minus additional income disregards, is combined with gross countable unearned income and subtracted from the appropriate payment level (currently set at 90% of the Standard of Need to reflect state appropriations to the program) to determine the amount of assistance to which a family is entitled.

The proposed Standards of Need will change the 185% screen to permit more applicants to pass through this first screen. Whether the applicant passes the second screen—Determination of Need—depends upon the payment level, which may be established (as it is now) as a ratable reduction from the 100% Standard of Need. Whether this same applicant qualifies for a grant under the third screen—Grant Calculation—again depends upon the payment level established. However, it should be noted that an applicant passing the first two screens, but failing the Grant Calculation screen, will be ineligible for a grant from the Aid to Dependent Children Program, but may be eligible for medical assistance (Medicaid) as a categorically needy, nonmoney payment type. The proposed change in locality payment groups will affect which Standard of Assistance and payment level are used in the screening process for an applicant residing in a given

locality.

VR 615-01-7. Standards of Need and Grouping of Localities in the ADC Program.

PART I.

§ 1.1. The following words and terms, when used in these regulations, shall have the following meaning, unless the context clearly indicates otherwise:

“Payment Level” means the Standard of Assistance.

“Standard of Assistance” means the amount of money from which the income available for basic needs (as provided by law) is deducted to determine the Aid to Dependent Children (ADC) payment for an assistance unit. Most often this is expressed as a percent of the Standard of Need. For example, Virginia expresses its Standard of Assistance as 90% of the Standard of Need. This is also referred to as the payment level.

“Standard of Need” means the amount of money a state determines essential to meet a minimal standard of living in that state for an assistance unit of a specified size.

PART II.

§ 2.1. Current Standards of Need are as set forth in the following table for each of the three locality groups:

Proposed Regulations

Assistance Unit Size

	1	2	3	4	5	6	7	8	9	10	10+
SHELTER:											
GRP I	\$146	229	295	358	422	473	535	602	657	718	61
GRP II	174	257	322	386	457	509	570	636	692	754	61
GRP III	243	327	393	457	542	593	655	721	779	838	61

Proposed Standards of Need are as set forth in the following table for each of the four locality groups:

Assistance Unit Size

	1	2	3	4	5	6	7	8	9	10	10+
SHELTER COMPONENT:											
GRP I	<u>115</u>	<u>231</u>	<u>251</u>	<u>272</u>	<u>289</u>	<u>307</u>	<u>327</u>	<u>347</u>	<u>373</u>	<u>399</u>	
GRP II	<u>137</u>	<u>275</u>	<u>298</u>	<u>322</u>	<u>346</u>	<u>370</u>	<u>394</u>	<u>419</u>	<u>450</u>	<u>481</u>	
GRP III	<u>149</u>	<u>299</u>	<u>324</u>	<u>350</u>	<u>376</u>	<u>403</u>	<u>429</u>	<u>455</u>	<u>489</u>	<u>523</u>	
GRP IV	<u>163</u>	<u>327</u>	<u>354</u>	<u>382</u>	<u>408</u>	<u>435</u>	<u>461</u>	<u>488</u>	<u>524</u>	<u>561</u>	
OTHER COST-OF-LIVING COMPONENTS*:	<u>115</u>	<u>249</u>	<u>332</u>	<u>405</u>	<u>469</u>	<u>553</u>	<u>605</u>	<u>683</u>	<u>762</u>	<u>839</u>	

TOTALS:

GRP I	<u>230</u>	<u>480</u>	<u>583</u>	<u>677</u>	<u>758</u>	<u>860</u>	<u>932</u>	<u>1,030</u>	<u>1,135</u>	<u>1,238</u>	<u>103+</u>
GRP II	<u>252</u>	<u>524</u>	<u>630</u>	<u>727</u>	<u>815</u>	<u>923</u>	<u>999</u>	<u>1,102</u>	<u>1,212</u>	<u>1,320</u>	<u>108+</u>
GRP III	<u>264</u>	<u>548</u>	<u>656</u>	<u>755</u>	<u>845</u>	<u>956</u>	<u>1,034</u>	<u>1,138</u>	<u>1,251</u>	<u>1,362</u>	<u>111+</u>
GRP IV	<u>278</u>	<u>578</u>	<u>686</u>	<u>787</u>	<u>877</u>	<u>988</u>	<u>1,066</u>	<u>1,171</u>	<u>1,286</u>	<u>1,400</u>	<u>114+</u>

+Each person above 10

*Other Cost-of-Living Components consist of:

Food, Transportation, Telephone, Clothing, Housekeeping Supplies, House Furnishings, Personal Care, Medical Needs not covered by Medicaid.

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TABLE II

GROUPING OF LOCALITIES

§2.2 The current locality payment groups are as set forth in the following table:

Group I		
<u>Counties</u>		
Accomack	Frederick	Nottoway
Alleghany	Giles	Orange
Amelia	Gloucester	Page
Amherst	Goochland	Patrick
Appomattox	Grayson	Pittsylvania
Bath	Greene	Powhatan
Bland	Halifax	Prince-George
Botetourt	Hanover	Pulaski
Brunswick	Henry	Rappahannock
Buchanan	Highland	Richmond
Buckingham	Isle-of-Wight	Rockbridge
Campbell	James-City	Russell
Caroline	King-George	Scott
Carroll	King-&-Queen	Shenandoah
Charles City	King William	Smyth
Charlotte	Leicester	Southampton
Clarke	Lee	Spotsylvania
Guineper	Louisa	Stafford
Cumberland	Lunenburg	Surry
Dickenson	Madison	Sussex
Einwiddie	Mathews	Tazewell
Essex	Mecklenburg	Washington
Fauquier	Middlesex	Wise
Floyd	Nelson	Wythe
Fluvanna	New-Kent	York
Franklin	Northampton	
	Northumberland	
<u>Cities</u>		
Bristol	Danville	Galax
Buena Vista	Emporia	Norton
Clifton Forge	Franklin	Suffolk

Proposed Regulations

Group II

Counties

Albemarle
Augusta
Chesterfield

Henrico
Loudoun
Roanoke

Rockingham
Warren

Cities

Chesapeake
Covington
Harrisonburg
Hopewell
Lexington
Lynchburg

Martinsville
Newport-News
Norfolk
Petersburg
Portsmouth
Radford

Richmond
Roanoke
Staunton
Virginia-Beach
Williamsburg
Winchester

Group III

Counties

Arlington
Fairfax

Montgomery

Prince-William

Cities

Alexandria
Charlottesville
Colonial Heights

Falls-Church
Fredericksburg
Hampton

Manassas
Manassas-Park
Waynesboro

Proposed Regulations

Proposed locality payment groups are as set forth in the following table:

GROUPING OF LOCALITIES

Group I

Charlotte	Bedford	Charles City
Halifax	Scott	Bland
Brunswick	Clifton Forge	<u>Lexington</u>
Greensville	Cumberland	<u>Covington</u>
Southampton	Accomack	Page
Grayson	Nelson	Henry
Buckingham	Dickenson	Buena Vista
Floyd	Giles	Franklin City
Mecklenburg	Bristol	Rockbridge
Northampton	Buchanan	<u>Martinsville</u>
Galax	Craig	Emporia
Carroll	Franklin County	Amelia
Pittsylvania	Wythe	Nottoway
Sussex	Danville	Essex
Lee	King William	Surry
Patrick	Smyth	Russell
Lunenburg	Alleghany	Prince Edward

GROUP II

<u>Middlesex</u>	Wise	<u>Suffolk</u>
<u>Rappahanock</u>	Radford	<u>Campbell</u>

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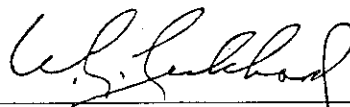
<u>Roanoke City</u>	<u>Westmoreland</u>	<u>Waynesboro</u>
<u>Fluvanna</u>	<u>Amherst</u>	<u>Clarke</u>
<u>Appomattox</u>	<u>Shenandoah</u>	<u>Lancaster</u>
<u>Washington</u>	<u>Lynchburg</u>	<u>Winchester</u>
<u>Northumberland</u>	<u>Tazewell</u>	<u>Rockingham</u>
<u>Madison</u>	<u>Warren</u>	<u>Harrisonburg</u>
<u>Mathews</u>	<u>King and Queen</u>	<u>Richmond County</u>
<u>Botetourt</u>	<u>Orange</u>	<u>Portsmouth</u>
<u>Pulaski</u>	<u>Augusta</u>	<u>Petersburg</u>
<u>Isle of Wight</u>	<u>Staunton</u>	<u>Norton</u>
<u>Caroline</u>	<u>Dinwiddie</u>	<u>Frederick</u>
<u>Louisa</u>	<u>Culpeper</u>	
<u>Greene</u>		

GROUP III

<u>Goochland</u>	<u>Fredericksburg</u>	<u>King George</u>
<u>Norfolk</u>	<u>Bath</u>	<u>Spotsylvania</u>
<u>Richmond City</u>	<u>Powhatan</u>	<u>Colonial Heights</u>
<u>Highland</u>	<u>Hampton</u>	<u>Fauquier</u>
<u>Hopewell</u>	<u>Roanoke County</u>	<u>Charlottesville</u>
<u>Newport News</u>	<u>York</u>	<u>James City</u>
<u>Prince George</u>	<u>New Kent</u>	<u>Williamsburg</u>
<u>Montgomery</u>	<u>Hanover</u>	<u>Henrico</u>
<u>Gloucester</u>	<u>Chesapeake</u>	<u>Chesterfield</u>

Group IV

<u>Manassas</u>	<u>Virginia Beach</u>	<u>Manassas Park</u>
<u>Albemarle</u>	<u>Stafford</u>	<u>Fairfax County</u>
<u>Arlington</u>	<u>Loudoun</u>	<u>Falls Church</u>
<u>Prince William</u>	<u>Alexandria</u>	



William L. Lukhard, Commissioner
Department of Social Services

Date: 6/20/85

Proposed Regulations

Title of Regulations: VR 615-50-2. Elimination of Financial Eligibility Criteria for Direct Social Services.

Statutory Authority: § 63.1-25 of the Code of Virginia.

Summary:

Current regulations for social services provided directly by local social services staff require financial eligibility determination for all persons needing Employment Services and certain individuals and families needing Family and Adult Services. The proposed regulation would allow local service agencies the option of eliminating the financial eligibility determination for all social services when provided directly by agency staff except for services provided under the Employment Services Program.

VR 615-50-2. Elimination of Financial Eligibility Criteria for Direct Social Services.

PART I. DEFINITIONS.

§ 1.1. The following words and terms, when used in these regulations, shall have the following meaning, unless the context clearly indicates otherwise:

"Direct services" means services provided to clients directly by the local social services staff.

"Eligibility determination" means the process of deciding whether an individual or family meets the criteria for receiving a service.

"Purchased services" means services provided by a paid resource other than local social services staff.

"Universal access" means the provision of services without regard to income or membership in an income maintenance group.

PART II. INTRODUCTION.

§ 2.1. To receive services an individual or family must be found eligible in one of three categories. They are income maintenance, eligible based on income or universal access.

§ 2.2. Eligibility for services must be determined by a service worker or a volunteer under the supervision of a service worker.

PART III. ELIGIBILITY DETERMINATION PROCESS.

§ 3.1. Income maintenance.

Persons or families are eligible for service in this

category because they receive Aid to Dependent Children, Supplemental Security Income or Auxiliary Grants.

§ 3.2. Eligibility based on income.

Eligibility in this category is determined by measuring the family income and number in the family unit against an income scale provided by the Department of Social Services.

§ 3.3. Universal access.

Certain services are available without regard to income or membership in an income maintenance group. Local social service agencies may choose one of two options in providing direct services on a universal access basis:

1. All persons needing direct services may be served on a universal access basis except for services delivered as a part of the Employment Services Program; or
2. Only persons needing the following services may be served on a universal access basis:
 - a. Intake services
 - b. Family services ~~preventive components~~, services provided to prevent child abuse and neglect, independent adoptions, and court activities),
 - c. Adult protective services,
 - d. Child protective services,
 - e. Foster care/adoption services,
 - f. Adult services ~~preventive components of APS~~ services provided to elderly and incapacitated adults at risk of abuse, neglect, or exploitation .

STATE WATER CONTROL BOARD

Title of Regulations: Water Quality Standards § 2.02. Fecal Coliform Bacteria - Other Waters.

Statutory Authority: § 62.1-44.15(3)(a,b) of the Code of Virginia.

Public Hearing Date: September 5, 1985 - 2 p.m.

NOTICE

Due to its length the Water Quality Standards, filed by the State Water Control Board, is not being published. However, in accordance with § 9-6.14:22 of the Code of Virginia, a summary, in lieu of full text, explaining the proposed amendments to the Water Quality

Proposed Regulations

Standards, is being published. The full text of the regulation is available for public inspection at the office of the Registrar of Regulations and the State Water Control Board.

Water Quality Standards § 2.02. Fecal Coliform Bacteria - Other Waters

Background

Water quality standards consist of narrative statements that describe water quality requirements in general terms and of numeric limits for specific physical, chemical and biological water quality indicators such as bacteria. These statements and limits describe water quality necessary for reasonable, beneficial water uses such as swimming, propagation and growth of aquatic life, and domestic water supply.

Section 62.1-44.15(3) of the Code of Virginia authorizes the State Water Control Board to establish Water Quality Standards and Policies for any state waters consistent with the purpose and general policy of the State Water Control Law, and to modify, amend, or cancel any such standards or policies established. Such standards shall be adopted only after a hearing is held and the Board takes into consideration the economic and social costs and benefits which can reasonably be expected to be obtained as a result of the standards as adopted, modified, amended, or cancelled.

A summary of a proposed amendment to § 2.02 of the Water Quality Standards follows.

Summary

The purpose of the proposed amendment is to revise § 2.02 Fecal Coliform Bacteria - Other Wastes of the Water Quality Standards to include a description of the protocol which must be followed in making a case-by-case determination of sewerage disinfection requirements, based on the actual and potential uses of the receiving waters, according to the Board's Disinfection Policy. The current version of the standard allows for the case-by-case determination, but does not contain a standard protocol for conducting a site-specific beneficial use-attainability analysis on which decisions about sewerage disinfection would be based.

The proposed protocol consists of the following nine steps which must be applied to each site specific case to assure that all beneficial uses of the water body in question have been considered in accordance with the Board's Disinfection Policy before disinfection requirements are determined: (i) identify potential candidate for disinfection waiver; (ii) estimate the number of affected stream miles or surface acres (fecal coliform values 200/100 ml) if disinfection were waived; (iii) require the discharger to conduct

preliminary assessment of beneficial use; (iv) require the State Water Control Board to collect quantifiable data through a site specific beneficial use-attainability analysis of the entire affected area and to record this data on an analysis sheet for verification of the discharger claim; (v) collect supplemental information on stream uses for contact recreation through interviews with the State Health Department, local game warden, agricultural agent, local recreation department, State Division of Parks and Recreation and other local recreational groups such as float fishermen or paddling groups and include this information in the site specific evaluation; (vi) submit use-attainability analysis to the Standards Division of Region III of the Environmental Protection Agency, allowing a minimum of 30 days review before going to public notice; (vii) ensure public participation and comment by including a description of the possible disinfection waiver in the public notice for NPDES permit action and by sending the public notice to property owners adjacent to the affected area; (viii) if significant public comment is received, either turn down the proposed disinfection exemption or go to public hearing; and (ix) have a combined State Water Control Board and State Department of Health review committee conduct a final review of the beneficial use-attainability analysis and recommend one of three options (disinfection not needed, disinfection needed year round, or disinfection needed seasonally). If a disinfection waiver is granted, a follow-up beneficial use-attainability analysis will be required every three years.

EMERGENCY REGULATION

DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL

Title of Regulations: Rules and Regulations of the Department of Alcoholic Beverage Control

Statutory Authority: § 9-6.14:6 of the Code of Virginia.

Effective Date: July 1, 1985

Rules and Regulations of the Department of Alcoholic Beverage Control.

ORDER ADOPTING EMERGENCY REGULATION NO. A-244.

WHEREAS, Section 4-79 of the Code of Virginia was amended to permit routine business entertainment by wholesalers of alcoholic beverages licensed in Virginia of retail licensees, and

WHEREAS, the Commission is of the opinion that an emergency situation exists because the amended statute does not contain a definition of "routine business entertainment"; that such a definition is necessary to provide guidance to those affected by the changed statute; that the statute becomes effective July 1, 1985, and a permanent regulation could not be adopted until December, 1985; and it is therefore necessary that a regulation be adopted defining the term "routine business entertainment" to provide immediate guidance to those persons affected by the statute from July 1, 1985, until such time as a permanent regulation can be adopted, and

WHEREAS, the approval of the Governor for such emergency regulation was obtained, as evidenced by letter dated June 6, 1985, which is attached and incorporated herein by reference, therefore

IT IS ORDERED that, pursuant to the provisions of Sections 4-11(a), 4-79, 4-98.14, 4-103(b), and 9-6.14:6, Virginia Code, the following regulation be, and the same is hereby, adopted, effective July 1, 1985:

Section 58.1. Routine business entertainment; conditions; definitions.

(a) Generally. - Nothing in these regulations shall prohibit a wholesaler of alcoholic beverages licensed in Virginia from providing to a retail licensee of the Commission "routine business entertainment", as defined herein.

(b) Conditions. - The following conditions apply:

1. Such routine business entertainment shall be provided without a corresponding obligation on the part of the retail licensee to purchase alcoholic beverages or to provide any other benefit to such wholesaler or to exclude from sale the products of any other wholesaler.

2. Wholesaler personnel shall accompany the personnel of the retail licensee during such business entertainment.

3. Except as is inherent in the definition of routine business entertainment as contained herein, nothing in this regulation shall be construed to authorize the providing of property or any other thing of value to retail licensees.

4. Routine business entertainment that requires overnight stay is prohibited.

(c) Definitions. - Routine business entertainment is defined as follows:

1. Meals and beverages;
2. Concerts, theatre and arts entertainment;
3. Sports participation and entertainment;
4. Entertainment at charitable events; and
5. Private parties.

The Commission will receive, consider and respond to petitions by any interested persons at any time for reconsideration or revision of this regulation.

IT IS FURTHER ORDERED that this order be filed forthwith in the manner prescribed by the Code of Virginia and copies be forwarded to interested parties in the Commonwealth.

COMMONWEALTH OF VIRGINIA
Office of the Governor

June 6, 1985

Mr. Robert J. Grey, Jr.
Department of Alcoholic Beverage Control
2901 Hermitage Road
Richmond, Virginia 23261

Dear Bob:

Thank you for your letter of June 4 requesting approval of the proposed emergency regulation on "routine business entertainment" and establishing the precise reasons and factual basis for the emergency.

I have reviewed the proposed emergency regulation and approve its enactment pursuant to § 9-6.14:6 of the Administrative Process Act.

/s/ Charles S. Robb

Emergency Regulation

VIRGINIA MARINE RESOURCES COMMISSION

NOTE: Effective July 1, 1984, the Marine Resources Commission was exempted from the Administrative Process Act for the purposes of promulgating regulations. The Regulation printed below is voluntarily published by the Marine Resources Commission for the public's benefit and for informational purposes only.

Title of Regulations: VR 450-01-0034. "Pertaining to the Taking of Striped Bass."

Statutory Authority: §§ 28.1-23, and 28.1-25 of the Code of Virginia.

Effective Date: June 11, 1985

Preamble:

This regulation repeals existing regulations VR 450-01-0029 and VR 450-01-0032, and establishes an extended closed season, and increases minimum size limits and gear restrictions for the taking of striped bass in Virginia waters. This is an emergency regulation which responds to the request of the Atlantic States Marine Fisheries Commission, that Virginia and all other Atlantic Coast states reduce striped bass fishing effort by at least 55 percent.

The Marine Resource Commission, recognizing the need for immediate protection of Virginia's striped bass stocks and, in particular, the 1982 year class, and acting under the authority of §§ 28.1-23 and 28.1-25 of the Code of Virginia, does hereby promulgate this emergency regulation.

§ 1. Authority, Prior Regulations, Effective Date:

A. This emergency regulation is promulgated pursuant to the authority contained in §§ 28.1-23 and 28.1-25 of the Code of Virginia.

B. This emergency regulation repeals regulation VR 450-01-0029, Pertaining to the Taking of Striped Bass, and regulation VR 450-01-0032, Pertaining to the Potomac River Tributaries.

C. The effective date of this emergency regulation is June 11, 1985.

§ 2. Purpose:

The purpose of this regulation is to provide for the immediate protection of Virginia's striped bass stocks and to reduce harvest pressure on the 1982 year class and subsequent year classes of striped bass, while maintaining a viable commercial and recreational fishery for striped bass. This regulation responds to the request of the Atlantic States Marine Fisheries Commission Interstate Striped Bass Plan and the Atlantic Striped Bass

Conservation Act by reducing striped bass fishing effort by at least 55 percent.

§ 3. Definitions:

A. Striped Bass - any fish of the species *Morone saxatilis* including any hybrid striped bass.

B. Spawning rivers - the James, Pamunkey, Mattaponi and Rappahannock Rivers including all their tributaries.

C. Spawning reaches - sections within the spawning rivers as follows:

1. James River: From a line connecting Dancing Point and New Sunken Meadow Creek upstream to a line connecting City Point and Packs Point;

2. Pamunkey River: From the Route 33 bridge at West Point upstream to a line connecting Liberty Hall and the opposite shore;

3. Mattaponi River: From the Route 33 bridge at West Point upstream to the Route 360 bridge at Aylett;

4. Rappahannock River: From the Route 360 bridge at Tappahannock upstream to the Route 3 bridge at Fredericksburg.

§ 4. Closed Areas, Seasons, and Gear Limitations:

A. During the period December 1 to May 31, inclusive, a person may not take, catch, possess, transport, process, sell or offer for sale any striped bass.

B. During the period April 1 to May 31, inclusive, a person may not set or fish any anchored or staked gill net within the spawning reaches. Drift (float) gill nets may be set or fished within the spawning reaches during the closed season, but the fisherman must remain with such net while that net is in the fishing position.

§ 5. Minimum Size Limits:

A. During the open season, June 1 to November 30, inclusive, it shall be unlawful for any person to take, catch, and/or have in possession more than five percent or two by count, whichever is greater, of any striped bass less than eighteen inches (18") in length, except as provided in paragraph B, below.

B. During the open season, June 1 to November 30, inclusive, it shall be unlawful for any person to take, catch, and/or retain possession of any striped bass from the Territorial Sea that is less than twenty-four inches (24") in length.

C. Length is measured in a straight line from tip of nose to tip of tail.

§ 6. Creel Limit:

Emergency Regulation

A possession limit of five (5) striped bass per person per day is imposed on all hook-and-line fishermen taking striped bass from the tidal waters of Virginia during the open season, June 1 to November 30, inclusive.

§ 7. Penalty:

As set forth in § 28.1-23 of the Code of Virginia, any person, firm, or corporation violating any provision of this regulation shall be guilty of a Class I misdemeanor.

/s/ William A. Pruitt, Commissioner
Marine Resources Commission

Date: June 11, 1985

GOVERNOR

GOVERNOR'S COMMENTS ON PROPOSED REGULATIONS

(Required by § 9-6.14:9.1 of the Code of Virginia)

Title of Regulations:

Virginia Uniform Statewide Building Code Volume I
- New Construction Code, 1984 edition (VR 394-01-21).

Virginia Uniform Statewide Building Code Volume II
- Building Maintenance Code, 1984 edition
(VR 394-01-23).

Virginia Uniform Statewide Building Code Volume III
- Fire Prevention Code, 1984 edition
(VR 394-01-23).

Virginia Public Building Safety Regulations, 1984
edition (VR 394-01-41).

Virginia Industrialized Building and Mobile Home
Safety Regulations, 1984 edition (VR 394-01-31).

Tradesmen Certification Standards, 1984 edition
(VR 395-01-2).

Liquefied Petroleum Gas, 1984 edition (VR 394-01-42).

Agency: Department of Housing and Community
Development

Governor's Comment:

These regulations were proposed as the result of your department and board's review of existing regulations pursuant to Executive Order 52 (84). As agreed, at the conclusion of this process, I am withholding final comment on the proposed regulations pending review of the public comment to be received at the public hearing scheduled for June 17, 1985, and any other information you wish to bring to my attention on these proposed regulations.

/s/ Charles S. Robb
Date: June 14, 1985

Title of Regulation: Standards and Regulations for
Licensed Homes for Adults (VR 615-22-02).

Agency: Department of Social Services

Governor's Comment:

No objections to the proposed final regulations as presented which have been modified in response to comments from the public as well as changes previously recommended by the Department of Planning and Budget.

Charles S. Robb
Date: June 7, 1985

GENERAL NOTICES/ERRATA

Symbol Key † † Indicates entries since last publication of the Virginia Register
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NOTICES OF INTENDED REGULATORY ACTION

VIRGINIA DEPARTMENT FOR THE AGING

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Virginia Department of Aging intends to repeal regulations entitled: **Regulation Concerning Area Plans for Aging Services**. The regulation (i) sets forth methods for designating Planning and Service Areas and Area Agencies on Aging in Virginia, (ii) describes the process of allocating funds among the Planning and Service Areas, and (iii) provides guidance to the Area Agencies on Aging in the development and implementation of their Area Plans for Aging Services. The Virginia Department for the Aging intends to repeal this regulation because some sections are outdated and other sections duplicate provisions in the State Plan for Aging Services approved by the Governor.

Statutory Authority: § 2.1-373 of the Code of Virginia.

Written comments may be submitted until July 10, 1985.

CONTACT: Betty Reams, Assistant Commissioner, Virginia Department for the Aging, 101 N. 14th St., 18th Floor, Richmond, Va. 23219, telephone (804) 225-2271.

BOARD OF DENTISTRY

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Board of Dentistry intends to promulgate regulations entitled: **Rules and Regulations Governing the Practice of Dentistry and Dental Hygiene**. Regulations in effect now will be repealed. The purpose of the proposed regulations is to regulate the practice of dentistry and dental hygiene.

Statutory Authority: § 54-163 of the Code of Virginia.

Written comments may be submitted until July 18, 1985.

CONTACT: Nancy T. Feldman, Executive Director, 517 W. Grace St., Richmond, Va. 23220, telephone (804) 786-0311.

BOARD OF HOUSING AND COMMUNITY DEVELOPMENT

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Board of Housing and Community Development intends to consider amending regulations entitled: **Uniform Statewide Building Code**. The proposed regulations will prohibit the use of 50/50 lead solder or lead-containing fluxes in plumbing that supplies drinking water in buildings, as proposed by the State Health Commissioner based on a study that showed a significant number of instances of lead levels exceeding the present standard. The State Health Commissioner's report is available for inspection at the address below.

Statutory Authority: § 36-98 of the Code of Virginia.

Written comments may be submitted until September 16, 1985.

CONTACT: C. S. Mullen, Deputy Director, Department of Housing and Community Development, 205 N. 4th St., 4th Floor, Richmond, Va. 23219, telephone (804) 786-4751

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Board of Housing and Community Development intends to consider amending regulations entitled: **Urban Enterprise Zone Program Regulations**. The purpose of the proposed regulations is to bring the Urban Enterprise Zone Program Regulations in line with the 1985 amendments to the Code of Virginia.

Statutory Authority: § 59.1-278 of the Code of Virginia.

Written comments may be submitted until September 16, 1985, to Neal J. Barber, Acting Director, Department of Housing and Community Development, 205 N. 4th St., Richmond, Virginia 23219.

General Notices/Errata

CONTACT: Stanley S. Kidwell, Jr., Associate Director, Virginia Department of Housing and Community Development, 205 N. 4th St., Richmond, Va. 23219, telephone (804) 786-4966.

VIRGINIA BOARD OF PROFESSIONAL COUNSELORS

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Virginia Board of Professional Counselors intends to promulgate regulations entitled: **Public Participation Guidelines**. The purpose of the proposed regulations is to establish guidelines for soliciting participation of interested parties in the revision and adoption of regulations.

Statutory Authority: §§ 9-6.14:7.1 and 54-929 of the Code of Virginia.

Written comments may be submitted until August 8, 1985.

CONTACT: John W. Braymer, Ph.D., Executive Director, 517 W. Grace St., P. O. Box 27708, Richmond, Va. 23261, telephone (804) 786-7702.

VIRGINIA BOARD OF PSYCHOLOGY

† Notice of Intended Regulatory

Notice is hereby given in accordance with this agency's public participation guidelines that the Virginia Board of Psychology intends to consider promulgating regulations entitled: **Public Participation Guidelines**. The purpose of the proposed regulations is to establish guidelines for soliciting participation of interested parties in the revision and adoption of regulations.

Statutory Authority: §§ 9-6.14:7.1 and 54-929 of the Code of Virginia.

Written comments may be submitted until August 8, 1985.

CONTACT: John W. Braymer, Ph.D., Executive Director, 517 W. Grace St., P. O. Box 27708, Richmond, Va. 23261, telephone (804) 786-7702.

DEPARTMENT OF SOCIAL SERVICES

Division of Benefit Programs

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Department of Social Services, Division of Benefit Programs, intends to consider amending regulations entitled: **Disposition of Nonexempt Real Property in Excess of the \$600 Maximum Allowable Resource Limit in the Aid to Dependent Children (ADC) Program**. The purpose of the proposed regulation is to extend the current six-month period for disposing of excess real property for an additional three months, for a total of nine months, provided the family is making a good faith effort to sell the property. The proposed regulation is contained in § 2626 of the Federal Deficit Reduction Act of 1984 (P.L. 98-369).

Statutory Authority: § 63.1-25 of the Code of Virginia.

Written comments may be submitted until July 10, 1985, to Mr. I. Guy Lusk, Director, Division of Benefit Programs, Department of Social Services, 8007 Discovery Drive, Richmond, Virginia 23229-8699.

CONTACT: Carolyn Ellis, Supervisor, Economic Assistance Unit, Division of Benefit Programs, 8007 Discovery Dr., Richmond, Va. 23229-8699, telephone (804) 281-9046.

VIRGINIA BOARD OF SOCIAL WORK

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Virginia Board of Social Work intends to consider promulgating regulations entitled: **Public Participation Guidelines**. The purpose of the proposed regulations is to establish guidelines for soliciting participation of interested parties in the revision and adoption of regulations.

Statutory Authority: §§ 9-6.14:7.1 and 54-929 of the Code of Virginia.

Written comments may be submitted until August 8, 1985.

CONTACT: John W. Braymer, Ph.D., Executive Director, 517 W. Grace St., P. O. Box 27708, Richmond, Va. 23261, telephone (804) 786-7702.

General Notices/Errata

VIRGINIA SUBSTANCE ABUSE CERTIFICATION COMMITTEE

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Virginia Substance Abuse Certification Committee intends to consider promulgating regulations entitled: **Public Participation Guidelines**. The purpose of the proposed regulations is to establish guidelines for soliciting participation of interested parties in the revision and adoption of regulations.

Statutory Authority: §§ 9-6.14:7.1 and 54-929 of the Code of Virginia.

Written comments may be submitted until August 8, 1985.

CONTACT: John W. Braymer, Ph.D., Executive Director, 517 W. Grace St., P. O. Box 27708, Richmond, Va. 23261, telephone (804) 786-7702.

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GENERAL NOTICES

STATE CORPORATION COMMISSION Bureau of Insurance

Administrative Letter 1985-13

Date: June 10, 1985

TO: All Group Self-Insurers for Workers' Compensation Licensed in Virginia

RE: Regulation 16-Section 12
Rules Governing Group Self-Insurers of Liability Under the Virginia Workers' Compensation Act

Manual of Rules and Rates - Filing Requirements

The State Corporation Commission adopted Regulation 16 to be effective February 1, 1985. The Bureau of Insurance feels that some clarification is required as respects the filing requirements outlined in Section 12 of the Regulation.

Each group self-insurer must have a manual of rules, rates, and rating plans on file with the Bureau of Insurance and approved for its use. This may be accomplished by one of two methods:

1. The enclosed REFERENCE FILING AUTHORIZATION form CP-10(5-85) may be completed by you, indicating that you are using the NCCI (National Council on Compensation Insurance) manual

of rules and rates and/or the NCCI Experience Rating Plan, both of which have been filed by the Virginia Compensation Rating Bureau and approved by the State Corporation Commission. The CP-10(5-85) must be completed and returned to the Bureau of Insurance in duplicate. Physical filing of these manuals will not be required if the NCCI manual(s) are used without amendment.

If you desire to use the NCCI manual(s) of rules, rates, and rating plans with certain amendments or exceptions, then you must advise the Bureau of Insurance in duplicate, in detail, enclosing with your filing letter an appropriate manual-size Exception Sheet(s) setting forth the specific adjustment(s), and the extent of the adjustment(s), that you propose to make to the rates and/or premiums, or to any supplementary rate information filed by the NCCI, along with any applicable actuarial justification, for approval. Workers' Compensation deviations will continue to be handled in accordance with Section 38.1-255.2 of the Code of Virginia and Administrative Letter 1982-12. In addition, Group Self-Insured Associations will also be required to complete the attached Supplemental Deviation Requested Form VA WCD-3(5-85) when application is made for a deviation.

In the event that you presently, or in the future, have on file any rate(s)/premium(s) and/or rules and supplementary rate information that would be affected by an NCCI filing, but which you desire to retain on file on your behalf, you must advise the Bureau in sufficient enough detail to clearly identify the particular item(s) prior to the effective date of the NCCI filing; otherwise, the NCCI filing will be applicable to you as of its effective date.

2. You may wish to independently file, in duplicate, a complete manual(s) of rules, rates, and rating plans for use in the writing of worker's compensation insurance along with the necessary actuarial justification, for approval.

Any questions you have concerning this matter should be communicated to the Bureau in writing.

/s/ James M. Thomson
Commissioner of Insurance

DATE _____

GROUP SELF-INSURED ASSOCIATIONS
SUPPLEMENTAL DEVIATION REQUEST FORM
(TO BE COMPLETED IN DOLLARS)

ASSOCIATION NAME _____

I. MANUAL PREMIUM = \$ _____
Manual Rate(s) x Anticipated Payroll

II. NORMAL PREMIUM = \$ _____
Manual Premium x Experience Rating
Modifier (____)

III. DEVIATED NORMAL PREMIUM = \$ _____
Normal Premium x Reciprocal of
Requested Deviation (____)

IV. DISCOUNTED PREMIUM = \$ _____
Deviated Normal Premium less
Average Group Discount (____ %)

V. ESTIMATED EXPENSES (____ % x Line IV) = \$ _____
Include All Expenses

VI. PREMIUM AVAILABLE FOR LOSSES
AND INVESTMENT = \$ _____
Line IV less Line V

VII. PROPOSED LOSS FUND (____ % x Line IV) = \$ _____
Excess Insurance Threshold (Stop Loss)
Converted to Dollars

VIII. LINE VI LESS LINE VII
(a) If A Minus, Show as Shortfall = \$ _____
(b) If A Plus, Show as Surplus = \$ _____

VA WCD-3 (5-85)

General Notices/Errata

SUPPLEMENTAL DEVIATION REQUEST FORM
PAGE TWO

IX. INVESTMENT INCOME * = \$ _____
50% Line V x _____ % = \$ _____
50% Line VI x _____ % = \$ _____
100% of Restricted Surplus _____
(if any) x _____ % = \$ _____

Not to exceed 50% of Lines V and VI if paid up front.
If paid in installments, provide Exhibit Developing
Investment Income.

X. SURPLUS OVER FORESEEABLE COSTS
(1) Line VIII (a) Minus Line IX = \$ _____
or (2) Line VIII (b) Plus Line IX = \$ _____

* Specify the interest rate.
Determine investment income based upon the period
the money is actually available for investment.

STATE OF VIRGINIA
REFERENCE FILING AUTHORIZATION

SECTION I

Being a Non-Member and Non-Subscriber of the VCRB for Workers' Compensation rules and rates, this authorization applies to:

- (Check one of the following):
- NCCI manual of rules and rates
 - NCCI Experience Rating Plan
 - Both NCCI manual of rules and rates and the NCCI Experience Rating Plan

SECTION II

- (1) CURRENT FILINGS - If checked here :

The undersigned group self-insurer hereby requests that it be deemed to have independently submitted, as its own, the filings currently approved for the NCCI as checked above.

- (2) FUTURE FILINGS - If checked here :

The undersigned group self-insurer hereby requests that it be deemed to have independently submitted, as its own, the filings approved in the future for the NCCI as checked above, which filing(s) shall become effective for this group self-insurer on the same date as such becomes effective for NCCI members and/or subscribers who have authorized the NCCI to file on their behalf, unless otherwise stipulated by the group self-insurer in writing prior to such effective date.

As regards future filings, it is understood and agreed, that in the event this group self-insurer presently, or in the future, has on file any rule and/or rate exceptions that would be affected by an NCCI filing(s), but which the group self-insurer desires to retain on file on its behalf, the group self-insurer must advise the Bureau of Insurance in sufficient enough detail to clearly identify the particular item(s) prior to the effective date of the NCCI filing.

- (3) This request, direction, and agreement shall become effective as of the date such is received by the Bureau of Insurance of Virginia and shall remain in full force until either withdrawn or amended by the group self-insurer, or until ordered rescinded by the Bureau of Insurance.

Group Self-insurer _____
 By _____
 Title _____
 Date _____

VA-CP-10(5/85)

Abbreviation: NCCI-National Council on Compensation Insurance

General Notices/Errata

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DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION

Joint Legislative Subcommittee on Block Grant Funding

† July 15, 1985 - 10 a.m. - Public Hearing
General Assembly Building, Capitol Square, House Room
D, Richmond, Virginia. (Location accessible to
handicapped.)

NOTICE OF AVAILABILITY FOR PUBLIC COMMENT AND ANNOUNCEMENT OF A PUBLIC HEARING ON THE

ALCOHOL, DRUG ABUSE AND MENTAL HEALTH BLOCK GRANT REPORT ON INTENDED EXPENDITURES - FY 1986

VIRGINIA DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION

In accordance with Title XIX, Part B of the Public Health Services Act, as amended, and Title XIX of the Omnibus Reconciliation Act of 1981, Virginia will submit an application for the Alcohol, Drug Abuse and Mental Health Block Grant, FY 1986. This application is for funds to support community alcohol, drug abuse and mental health services, including emergency services, outpatient/day support services, residential services and prevention and early intervention services.

The Joint Legislative Subcommittee on Block Grant Funding, chaired by Senator Edward E. Willey, will conduct a public hearing on Monday, July 15, 1985, 10:00 A.M., General Assembly Building, House Room D, Richmond, Virginia to receive comments on this application.

Copies of the Alcohol, Drug Abuse and Mental Health Block Grant application are available for review at the Office of the Planning Director, Room 1306, James Madison Building, 13th Floor, 109 Governor Street, Richmond, Virginia, and at each Community Services Board office. Comments on this application may be made at the hearing or in writing by no later than August 1, 1985, to:

Office of the Commissioner
Virginia Department of Mental Health and Mental
Retardation
P. O. Box 1797
Richmond, Virginia 23214

Any person wishing to make a presentation at the

hearing may call Ms. Brenda H. Edwards or Ms. Norma E. Szakal, Division of Legislative Services, (804) 786-3591. Copies of oral statements should be filed at the time of the hearing.

* * * * *

NOTICE TO STATE AGENCIES

Re: Forms for filing material on dates for publication in The Virginia Register of Regulations.

All agencies are required to use the appropriate forms when furnishing material and dates for publication in The Virginia Register of Regulations. The forms are supplied by the office of the Registrar of Regulations. If you do not have any forms or you need additional forms, please contact: Ann M. Brown, Assistant Registrar of Regulations, Virginia Code Commission, P. O. Box 3-AG, Richmond, Va. 23208, telephone (804) 786-3591.

FORMS:

Proposed (Transmittal Sheet) RR01
Final (Transmittal Sheet) RR02
Notice of Meeting RR03
Notice of Intended Regulatory Action RR04
Notice of Comment Period RR05
Agency Response to Legislative
or Gubernatorial Objections RR06

NOTICE TO STATE AGENCIES

A list of major meetings of various trade associations and organizations is maintained in the office of the Registrar of Regulations. Upon request, this list will be made available to you in order that you can avoid conflicts when setting up meetings and hearings.

NOTICE TO TRADE ASSOCIATIONS AND ORGANIZATIONS

The 1985-1986 listing of major meetings of certain organizations and associations is being updated. If you would like your organization's annual or semi-annual meeting listed, please advise the office of the Registrar of Regulations, Virginia Code Commission, P. O. Box 3-AG, Richmond, Virginia 23208, telephone (804) 786-3591.

CALENDAR OF EVENTS

Symbol Key †

† Indicates entries since last publication of the Virginia Register

NOTICE: Only those meetings which are filed with the Registrar of Regulations by the filing deadline noted at the beginning of this publication are listed. Since some meetings are called on short notice, please be aware that this listing of meetings may be incomplete. Also, all meetings are subject to cancellation and the Virginia Register deadline may preclude a notice of such cancellation.

For additional information on open meetings and public hearings held by the Standing Committees of the Legislature during the interim, please call Legislative Information at (804) 786-6530.

THE VIRGINIA CODE COMMISSION

EXECUTIVE

VIRGINIA DEPARTMENT FOR THE AGING

July 15, 1985 - 10 a.m. - Public Hearing

Pulaski County Administration Building, Board of Supervisors Meeting Room, Pulaski, Virginia. (Interpreter for deaf provided if requested.)

July 16, 1985 - 10 a.m. - Public Hearing

General Assembly Building, Capitol Square, House Room C, Richmond, Virginia. (Location accessible to handicapped; interpreter for deaf provided if requested.)

July 16, 1985 - 6:30 p.m. - Public Hearing

Municipal Center, City Council Chambers, Second Floor, Virginia Beach, Virginia. (Interpreter for deaf provided if requested.)

July 18, 1985 - 10 a.m. - Public Hearing

Prince William County, Board of Supervisors Chambers, 9250 Lee Avenue (next to old court house), Manassas, Virginia. (Interpreter for deaf provided if requested.)

The Department for the Aging will conduct a series of public hearings to receive comments on the proposed State Plan for Aging Services for the two-year period beginning October 1, 1985. In its final form, the Plan will be submitted to the Federal Administration on Aging in application for Federal funds to support programs for the elderly in Virginia. Written comments or requests for a copy of the Plan will be accepted at the hearings. Written comments or requests for a copy of the Plan may also be sent to the Virginia Department for the Aging, 101 N. 14th Street, 18th Floor, Richmond, Virginia 23219.

Contact: Betty J. Reams, Assistant Commissioner, Virginia Department for the Aging, 101 N. 14th Street, 18th Floor, Richmond, Va. 23219, telephone (804) 225-2271

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

August 6, 1985 - 2 p.m. - Public Hearing

Board of Agriculture and Consumer Services, Washington Building, 1100 Bank Street, Board Room, Second Floor, Richmond, Virginia. (Location accessible to handicapped.)

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Agriculture and Consumer Services intends to amend the following regulations:

1. **Reporting Requirements for Contagious and Infectious Diseases of Livestock in Virginia.** (VR 115-02-01) *This regulation requires practicing veterinarians in Virginia to report the existence of certain livestock diseases to the State Veterinarian.*

STATEMENT

Subject and Substance: *The proposed regulation replaces AHD 1 (Prevention, Control and Eradication of Contagious and Infectious Diseases of Livestock in Virginia). No change is made in policy.*

Basis: *Communicable diseases of animals are a direct economic menace to the producer. Some of these diseases constitute a direct threat to human health. The prompt notification of the disease, species and numbers involved and location(s) affected are necessary for the prevention and control of disease.*

Purpose: *To require veterinarians practicing in Virginia to report to the State Veterinarian the existence of certain contagious or infectious diseases among livestock.*

Impact: *1,722 practicing veterinarians are affected by this regulation.*

Statutory Authority: § 3.1-726 of the Code of Virginia.

2. **Rules and Regulations Governing the Prevention, Control and Eradication of Bovine Tuberculosis in Virginia.** (VR 115-02-02) *This regulation prescribes requirements and methods for the prevention, control and eradication of bovine tuberculosis in Virginia.*

Calendar of Events

STATEMENT

Subject and Substance: The proposed regulation replaces AHD 2 (Prevention, Control and Eradication of Contagious and Infectious Diseases of Livestock in Virginia - Regulation 2). No change is made in policy.

Basis: Bovine tuberculosis is a highly infectious and debilitating disease and it is transmissible from infected animals to man; therefore, its prevention, control and eradication is of paramount interest to the cattle producer and to the general public. Virginia has maintained a bovine tuberculosis free status for more than 10 years, thereby permitting interstate and international trade of its cattle without restrictions due to this disease. This regulation is essential in continuing a bovine tuberculosis free status in Virginia.

Purpose: To prescribe the method of reporting and testing bovine tuberculosis, the means of identifying animals passing and reacting to the test, the handling and disposition of reactor animals and the disposition of tuberculosis infected herds.

Impact: 1,722 practicing veterinarians and 39,000 cattle owners are affected by this regulation.

Statutory Authority: §§ 3.1-724, 3.1-730 and 3.1-749 of the Code of Virginia.

3. Rules and Regulations Governing the Control and Eradication of Brucellosis of Cattle in Virginia. (VR 115-02-03) This regulation prescribes requirements and methods for preventing, controlling and eradicating bovine brucellosis in Virginia.

STATEMENT

Subject and Substance: This regulation replaces regulation AHD 3 (Prevention, Control and Eradication of Contagious and Infectious Diseases of Livestock in Virginia - Regulation 3 (Brucellosis of Cattle)) and incorporates Limited General Quarantine Order No. 1981-1. No change is made in policy.

Basis: Brucellosis in cattle is a highly infectious disease and causes substantial economic losses for producers whose herds are affected. It is transmissible to man in whom its effects can be devastating. Accordingly, its prevention, control and eradication is of major interest to cattle breeders/producers and to the general public. Interstate and international trade in cattle from Virginia could be severely impacted if this disease were permitted to progress unchecked in the Commonwealth. The regulatory authority and actions expressed in this regulation are necessary if the cattle industry of Virginia is to continue to experience success with its animals in the market place.

Purpose: To prescribe the method of testing of bovine brucellosis, the means of indentifying animals passing and

reacting to the test, the handling and movement of tested cattle within the Commonwealth, the procedures for the vaccination of calves and adult cattle and the identification of same, the definition of brucellosis-free certified herds and the classification status of brucellosis in Virginia, and the method for depopulating brucellosis infected herds in the Commonwealth.

Impact: 1,722 practicing veterinarians and 39,000 cattle owners are affected by this regulation.

Statutory Authority: §§ 3.1-724, 3.1-725 and 3.1-749 of the Code of Virginia.

4. Rules and Regulations Governing the Operation of Livestock Markets. (VR 115-02-04) This regulation prescribes requirements for handling animals at livestock markets, acceptable standards of livestock markets, and procedures employed when inspecting markets to determine compliance.

STATEMENT

Subject and Substance: This regulation replaces regulation AHD 4 (Operation of Livestock Markets) and incorporates Livestock Market Brucellosis Testing Order No. 1981-2. No change is made in policy.

Basis: When animals are subjected to common collection points, such as livestock markets, the risk of pooling and interchanging infectious agents is enhanced considerably if these facilities are not maintained in acceptably clean and sanitary conditions. The requirements of this regulation must be enforced to minimize and control the spread of animal diseases among animals passing through the 38 livestock markets located in Virginia.

Purpose: To prescribe the regulatory procedures for handling animals passing through Virginia livestock markets and to establish sanitary standards for these facilities and methods for their enforcement.

Impact: Thirty-eight operators of livestock markets in Virginia are affected on a direct basis. Also affected are the numerous buyers and sellers who utilize these markets as places to exchange ownership of animals.

Statutory Authority: §§ 3.1-724, 3.1-730 and 3.1-757 of the Code of Virginia.

5. Health Requirements Governing the Control or Equine Infectious Anemia in Virginia. (VR 115-02-05) This regulation prescribes testing for intrastate and interstate shipment of horses and prescribes disposition of test reactors.

STATEMENT

Subject and Substance: This regulation replaces regulations AHD 10 of the same title. No changes are made in policy.

Basis: Equine infectious anemia is a debilitating viral disease which can terminate in the death of the infected animal. Its ready transmission by biting insects or other blood-letting procedures permits its easy spread from infected to noninfected individuals. Regulatory control of horses in intrastate, interstate and international shipments and the identification and control of horses infected with this disease is highly desirable in preventing and controlling this disease in the equine population of Virginia.

Purpose: To specify Virginia's testing requirements for equine infectious anemia (EIA) for intrastate and interstate shipments of horses, and to define those regulatory actions to be taken for those animals which react positively to the official EIA test.

Impact: The provisions of this regulation directly affect 36,469 Virginia breeders and owners of horses.

Statutory Authority: §§ 3.1-724 through 3.1-730 of the Code of Virginia.

6. Requirements Governing the Branding of Cattle in Virginia. (VR 115-02-06) This regulation prescribes a program for branding of cattle by owners who voluntarily subscribe and register as participants under the program.

STATEMENT

Subject and Substance: This regulation replaces AHD 11 of the same title. No change is made in policy.

Basis: Positive life-time identification for legal ownership is highly desirable when property is easily lost, strayed or stolen as exemplified by farm or range cattle. Establishment of a workable and creditable identification system for this purpose on a statewide basis is possible only if permitted under the auspices of the government of the Commonwealth.

Purpose: To establish within state government a voluntary cattle branding system which provides for the design, registration, application and administration of unique identifying brands to Virginia cattle owners who desire to be participants in this statewide identification system.

Impact: 39,000 cattle owners are eligible to participate in this branding system. Thirty-eight operators of livestock markets in Virginia are required to maintain a copy of the register of brands in their places of business.

Statutory Authority: § 3.1-796.36 of the Code of Virginia.

7. Control and Eradication of Pullorum Disease and Fowl Typhoid Flocks and Hatcheries and Products in Virginia. (VR 115-02-07) This regulation prescribes requirements for control and eradication of pullorum disease and fowl typhoid in poultry flocks and hatcheries in Virginia.

STATEMENT

Subject and Substance: This regulation replaces an unnumbered AHD regulation of the same title. No change is made in policy.

Basis: Pullorum disease and fowl typhoid have the proven capabilities to devastate any poultry industry. An in-place program to guard against and to take immediate steps to eradicate these diseases, when and if they appear in Virginia, is required to protect the interests of producers and consumers of poultry products in the Commonwealth.

Purpose: To require flocks of poultry in Virginia to be maintained in a U. S. Pullorum-Typhoid Clean status at all times thus qualifying products of these flocks for movement within and without the Commonwealth in conformance with established national and international standards.

Impact: This regulation affects 6,948 breeders and owners of poultry in Virginia.

Statutory Authority: §§ 3.1-724 and 3.1-730 of the Code of Virginia.

8. Rules and Regulations Governing the Qualifications for Humane Investigators. (VR 115-02-08) This regulation prescribes eligibility, training, examination and appointment for becoming a certified humane investigator in Virginia.

STATEMENT

Subject and Substance: This regulation replaces regulation AHD 13 (Qualifications for Humane Investigators). No change is made in policy.

Basis: Animals in Virginia recurringly are subjected to treatment or conditions that are, or are interpreted to be, inhumane. When investigations of inhumane treatment or conditions are made, they should be performed in an objective, efficient, effective and uniform manner. The features of a desirable investigation can be obtained only through training of investigators using uniform methods and guidelines to qualify them to perform this work.

Purpose: To prescribe the eligibility, training, examination and appointment requirements for individuals who desire to be certified as humane investigators in Virginia.

Impact: This regulation affects approximately 50 persons annually who desire to become humane investigators.

Statutory Authority: § 29-213.75 of the Code of Virginia.

9. Guidelines Pertaining to A Pound or Enclosure To Be Maintained By Each County or City. (VR 115-02-09) This regulation prescribes a uniform set of standards to follow for the construction and operation of pounds and enclosures in Virginia.

Calendar of Events

STATEMENT

Subject and Substance: This regulation replaces regulation ADH 15 of the same title. No change is made in policy.

Basis: Guidelines for the construction and operation of humanely suitable pounds and enclosures to confine stray animals are required to ensure the uniform humane treatment of these animals in Virginia.

Purpose: In addition to providing a uniform set of standards to follow, the regulation also outlines acceptable sanitary practices at these facilities, the euthanasia methods to be used and the proper disposal of dead animals from these establishments.

Impact: 135 counties and municipal governments in the Commonwealth are affected by this regulation.

Statutory Authority: § 29-213.66 of the Code of Virginia.

10. Rules and Regulations Governing the Recordkeeping By Virginia Cattle Dealers For the Control or Eradication of Brucellosis of Cattle. (VR 115-02-10) This regulation prescribes records to be kept by registered cattle dealers in Virginia which will assist in tracing diseased animals to their points of origin.

STATEMENT

Subject and Substance: This regulation replaces regulation AHD 16 (Recordkeeping by Virginia Cattle Dealers for the Control or Eradication of Brucellosis of Cattle). No change is made in policy.

Basis: Brucellosis in cattle is a highly infectious disease which causes substantial economic losses for producers whose herds are affected. It is transmissible to man in whom its effects can be devastating. Because livestock dealers operate on an intrastate and interstate basis, and because state and interstate highways readily facilitate the movement of cattle by these dealers, it is imperative that controls of dealer actions through the requirement of mandatory records of purchases, sales and movement of cattle be established by state regulations. These records can provide vital information in the tracing of a diseased animal through dealers and markets to its point of origin. Once the latter is known, proper prevention, control and eradication actions for the disease can be initiated with greater possibility of success.

Purpose: To prescribe the records that are to be maintained by cattle dealers in Virginia when cattle are bought, sold or moved by them for breeding or replacement purposes.

Impact: 354 cattle dealers in Virginia are affected by this regulation.

Statutory Authority: §§ 3.1-724 and 3.1-730 of the Code of Virginia.

11. Rules and Regulations Governing Laboratory Fees For Services Rendered or Performed. (VR 115-02-11) This regulation provides certain laboratory diagnostic services to practicing veterinarians on a fee-for-services basis.

STATEMENT

Subject and Substance: This regulation replaces ADH 14 (Rules and Regulations Pertaining to Laboratory Fees for Services Rendered or Performed). No change is made in policy.

Basis: Current state statute provides diagnostic laboratory service for livestock and poultry only. Diagnostic laboratory services provided in state operative laboratories for companion animals, exotic birds, or animals other than livestock or poultry, are furnished as prescribed by the Board of Agriculture and Consumer Services.

Purpose: To make laboratory diagnostic disciplines for companion animals and birds and exotic animals and birds available to practicing veterinarians in Virginia on a fee-for-service basis.

Impact: 1,722 practicing veterinarians licensed by the Virginia Board of Veterinary Medicine are affected by this regulation.

Statutory Authority: § 3-1-725 of the Code of Virginia.

12. Health Requirements Governing the Admission of Livestock, Poultry, Companion Animals and Other Animals or Birds Into Virginia. (VR 115-02-12) This regulation prescribes qualifications and requirements that animals must meet upon admission into Virginia.

STATEMENT

Subject and Substance: This regulation replaces AHD 5 (Health Requirements Governing the Admission of Livestock Into Virginia) and incorporates the requirements for specified testing of stallions and mares being imported into the Commonwealth from countries where contagious equine metritis has occurred (Limited General Orders No. 1980-1 and 1981-3). This regulation also incorporates the requirements which prohibit the importation of hatching eggs and poultry into Virginia unless they originate from flocks that are designated as being free of *Mycoplasma Gallisepticum* (Limited Quarantine Order No. 1983-1).

Basis: Preventing and controlling communicable diseases within an animal population among other considerations is dependent upon the status of health of any new individual(s) introduced into that population. For this reason, it is necessary to establish and maintain a monitoring system that will provide a continual flow of information to regulatory authorities about the health status and origin of any animal(s) being brought into the Commonwealth.

Calendar of Events

Purpose: To prescribe the qualifications and requirements that animal(s) must meet upon admission to Virginia, and to prescribe a monitoring system of official certificates issued by other states or by foreign countries of origin which provide a description of the health status and the place of origin of any animal(s) brought into the Commonwealth.

Impact: This regulation affects all persons in Virginia who, for reasons other than that of slaughter, transport an animal(s) into the Commonwealth.

Statutory Authority: §§ 3.1-724 and 3.1-730 of the Code of Virginia.

Written comments on any of the above listed regulations may be submitted until July 5, 1985, to Raymond D. Vaughan, P. O. Box 1163, Richmond, Virginia 23219.

Contact: Dr. A. J. Roth, Veterinary Program Coordinator, Department of Agriculture and Consumer Services, Division of Animal Health, Washington Bldg., Suite 600, 1100 Bank St., Richmond, Va. 23219, telephone (804) 786-2483

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Agriculture and Consumer Services intends to repeal the following regulations:

1. LIMITED GENERAL QUARANTINE ORDER NO. 1981-3. This quarantine prescribes specified testing to qualify stallions and mares for quarantine release when originating from countries where contagious equine metritis has occurred.

Statutory Authority: § 3.1-734 of the Code of Virginia.

2. LIMITED GENERAL QUARANTINE ORDER NO. 1980-1. This quarantine prescribes specified testing to qualify stallions for quarantine release when originating from countries where contagious equine metritis has occurred.

Statutory Authority: §§ 3.1-726 and 3.1-734 of the Code of Virginia.

3. LIMITED QUARANTINE ORDER NO. 1983-1. This quarantine prohibits the importation into Virginia of hatching eggs and poultry from other than designated disease-free areas.

Statutory Authority: §§ 3.1-723 through 3.1-741 of the Code of Virginia.

(The provisions of the above three quarantines have been incorporated into proposed VR 115-02-12, Health Requirements Governing the Admission of Livestock, Poultry, Companion Animals and Other Animals and Birds

in Virginia, which is anticipated to become effective October 15, 1985.)

4. LIMITED GENERAL QUARANTINE ORDER NO. 1981-1. This quarantine prescribes specified testing of adult breeding cattle for brucellosis upon change of ownership in Virginia. The provisions of this quarantine have been incorporated into proposed VR 115-02-03, Rules and Regulations Governing the Prevention, Control and Eradication of Brucellosis of Cattle in Virginia, which is anticipated to become effective on October 15, 1985.

Statutory Authority: §§ 3.1-726 and 3.1-727 of the Code of Virginia.

5. LIVESTOCK MARKET BRUCELLOSIS TESTING ORDER NO. 1981-2. This Order prescribes specified testing at livestock markets for brucellosis when breeding and replacement cattle are returned to the farm. The provisions of the Order have been incorporated into proposed VR 115-02-04, Rules and Regulations Governing the Operations of Livestock Markets, which is anticipated to become effective on October 15, 1985.

Statutory Authority: § 3.1-737 of the Code of Virginia.

6. AHD 7, ARTIFICIAL INSEMINATION. This regulation prescribes controls on health status of bull studs used for artificial insemination; also specifies qualifications of individuals certified as inseminators. This regulation is being repealed because the livestock industry has developed satisfactory standards that are in use and replace those contained in this regulation.

Statutory Authority: §§ 3.1-723 through 3.1-741.1 of the Code of Virginia.

Written comments on the repeal of the above listed regulations may be submitted until August 6, 1985, to Raymond D. Vaughan, P. O. Box 1163, Richmond, Virginia 23219.

Contact: Dr. A. J. Roth, Veterinary Program Coordinator, Washington Bldg., 1100 Bank St., Suite 600, Richmond, Va. 23219, telephone (804) 786-2483

August 7, 1985 - 10 a.m. - Public Hearing
Department of Agriculture and Consumer Services, Washington Building, 1100 Bank Street, Board Room 204, Richmond, Virginia. (Location accessible to handicapped.)

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Agriculture and Consumer Services intends to amend regulations entitled: **Regulation III of the Rules and Regulations Governing the Production, Processing and Sale of Ice Cream, Frozen Desserts and Similar Products. (VR 115-05-03)** This regulation governs the production, processing, labeling and distribution of ice cream and similar products within the Commonwealth.

Calendar of Events

STATEMENT

Basis: The Board of Agriculture and Consumer Services promulgates rules to govern the production, processing, labeling and distribution of ice cream and similar products within the Commonwealth.

The Board has been petitioned by two firms to amend Regulation III which would allow the sale of their products in the Commonwealth.

Purpose: There are two proposed amendments to the regulation. One will allow the use of dry whey, reduced minerals whey, whey protein concentrate and reduced lactose whey as ingredients in the formulation of powder or dry imitation frozen dessert mixes and require that these wheys used in the formation of these mixes shall have been pasteurized or subjected to any other method of process demonstrated to be equally efficient.

The second proposed amendment pertains to a standard of identity for lowfat parevine. The proposed standard is the same as the existing standard for parevine except that the fat content shall not be more than 6.0%.

Impact: The amendments will require no additional expenditure of funds for the Department. One amendment will allow powdered or dry imitation frozen dessert mixes containing whey ingredients either to be used by or compete with other products in the market place. The parevine amendment would enable the manufacture and sale of this product in Virginia.

Statutory Authority: § 3.1-562.1 of the Code of Virginia.

Written comments may be submitted until August 26, 1985.
Contact: William R. Crump, Jr., Chief, Bureau of Dairy Services, Department of Agriculture and Consumer Services, Division of Dairy and Foods, P. O. Box 1163, Richmond, Va. 23209, telephone (804) 786-1452

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Agriculture and Consumer Services intends to adopt regulations entitled: **Rules and Regulations Pertaining to the Registration and Certification of Grape Nursery Stock. (VR 115-04-17)** This regulation would establish a procedure to allow for virus testing and subsequent certification of grape nursery stock found free from virus on a voluntary basis.

STATEMENT

Purpose: The proposed rules and regulations would permit the Department of Agriculture and Consumer Services to plan, develop and implement a program to certify grape nursery stock, including vines, rooted cuttings, cuttings, grafts, or buds, as apparently virus free, and would provide for voluntary participation by applications.

Basis: The Virginia wine industry is expanding and, consistent with this expansion is the demand for quality grape nursery stock to establish vineyards. Viral diseases have been shown to be one of the most destructive pests or grapes, and once infected, there are no curative pesticides presently available. Costs to establish a vineyard are high and additional costs for replacement of virus-infected vines would economically retard the growth of the wine industry. The supply of certified virus-free grape plants is limited. In the eastern United States, only the state of New York has a certification program for grape nursery stock and they are unable to meet the demand for certified virus-free grape nursery stock in the East. It is essential to Virginia's growing industry to make quality virus-free vines available for vineyard establishment.

Statutory Authority: § 3.1-188.35 of the Code of Virginia.

Written comments may be submitted until August 5, 1985.
Contact: Raymond D. Vaughan, Secretary, State Board of Agriculture and Consumer Services, P. O. Box 1163, Richmond, Va. 23209, telephone (804) 786-3501

VIRGINIA AGRICULTURAL FOUNDATION

August 26, 1985 - 9 a.m. - Open Meeting
Holiday Inn - Airport, 5203 Williamsburg Road, Sandston, Virginia

A regular business meeting.
Contact: Henry H. Budd, P. O. Box 1163, Richmond, Va. 23209, telephone (804) 786-3506

VIRGINIA YOUTH ALCOHOL ABUSE PREVENTION PROJECT SUMMER YOUTH CONFERENCE

† Opens at 2 p.m. on July 30, 1985, and closes at noon on August 1, 1985. - Open Meeting
Radford University, Radford, Virginia. (Location accessible to handicapped.)

The Summer Youth Conference is a gathering of over 180 students representing public and private schools throughout the state which will address the problems of drunk driving and substance abuse among Virginia's youth. In tandem with adult sponsors from schools, community services boards, and community agencies, these youth will develop prevention action plans for their schools. The Virginia Youth Alcohol Abuse Prevention Project is an interagency effort of the Department of Mental Health and Mental Retardation, the Department of Education, and the Division of Motor Vehicles to prevent drunk driving among Virginia's youth.

Contact: Alice Heffner, Project Coordinator, Department of

Calendar of Events

Mental Health and Mental Retardation, P. O. Box 1797,
Richmond, Va. 23214, telephone (804) 786-1530

ALCOHOLIC BEVERAGE CONTROL COMMISSION

July 16, 1985 - 9:30 a.m. - Open Meeting
July 30, 1985 - 9:30 a.m. - Open Meeting
August 13, 1985 - 9:30 a.m. - Open Meeting
August 27, 1985 - 9:30 a.m. - Open Meeting
September 10, 1985 - 9:30 a.m. - Open Meeting
September 24, 1985 - 9:30 a.m. - Open Meeting
2901 Hermitage Road, Richmond, Virginia. (Location
accessible to handicapped.)

The Commission will meet to receive and discuss
reports on activities from staff members. They will
consider other matters not yet determined.

Contact: Larry E. Gilman, 2901 Hermitage Rd., Richmond,
Va. 23220, telephone (804) 257-0616

STATE BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS AND CERTIFIED LANDSCAPE ARCHITECTS

July 18, 1985 - 10 a.m. - Open Meeting
Department of Commerce, Travelers Building, 3600 West
Broad Street, Richmond, Virginia. (Location accessible to
handicapped.)

The Board will meet to conduct an informal
fact-finding proceeding regarding Larry G. Rakes,
Land Surveyor, Stuart, Virginia.

Contact: Sylvia W. Bryant, Hearings Coordinator,
Department of Commerce, 3600 W. Broad St.,
Richmond, Va. 23230, telephone (804) 257-8524

July 10, 1985 - 9 a.m. - Public Hearing
Department of Commerce, Travelers Building, 3600 West
Broad Street, Room 395, 3rd Floor, Richmond, Virginia.
(Location accessible to handicapped.)

Notice is hereby given in accordance with § 9-6.14:7.1
of the Code of Virginia that the State Board of
Architects, Professional Engineers, Land Surveyors and
Certified Landscape Architects intends to adopt
regulations entitled: **Rules and Regulations of the
State Board of Architects, Professional Engineers,
Land Surveyors and Certified Landscape Architects.**
These regulations govern the practice of architecture,
engineering, land surveying, and landscape
architecture. It includes entry requirements, standards
of practice and provisions for revocation and
reinstatement of licenses. Current regulations will be
repealed.

STATEMENT

Basis, Purpose, Impact and Summary: Pursuant to Chapter

1.1 and 3 of Title 54; and Chapter 7 of Title 13.1, of the
Code of Virginia, and in accordance with §§ 9-6.14:1 -
9-6.14:25 of the Code of Virginia, the State Board of
Architects, Professional Engineers, Land Surveyors, and
Certified Landscape Architects proposes to amend, add to,
delete, and reorganize existing regulations governing the
practices of architecture, professional engineering, land
surveying, and landscape architecture.

Regulations governing the practice of these professions
apply to approximately 16,190 licensees, 340 professional
corporations, and 2,681 business entities offering
architecture, engineering, land surveying, and landscape
architecture services. Also affected will be approximately
2,900 persons applying for licensure in these professions
per year and approximately 2,300 persons annually
scheduled for the examinations for architects, engineers,
land surveyors, and landscape architects.

The cost of administration of the proposed regulations is
estimated at \$260,400.00 for the 1984-1986 biennium. Funds
for implementation will come from part of the special
dedicated revenue appropriated to the Department of
Commerce. Fees from applicant and licensees make up
this revenue. No changes in the current fees are
considered necessary to generate sufficient funds for
administering the proposed regulations.

The Board proposes to repeal current regulations, and
adopt new regulations consistent with the Governor's
Regulatory Review Program to ensure that they represent
the least burdensome alternative to meet clearly
established and justified regulatory needs.

For the purpose of clarity, these proposed regulations were
grouped into six major parts or categories: General,
Qualifications for Licensing of Architects, Qualifications for
Licensing as a Professional Engineer, Qualifications for
Licensing as a Land Surveyor, Qualifications for
Certification of Landscape Architects, and Professional
Corporations and Business Entities.

Part I, General, specifies who must obtain a
license/certificate; expiration, renewal and fees;
reinstatement; grounds for suspension, denial of renewal or
revocation of a license/certificate; conflicts of interest;
solicitation of work and improper conduct; and use of the
license/certificate holder's seal.

Part II, Qualifications for Licensing of Architects
establishes fees, education and experience requirements to
become eligible for the Architect Registration Examination
(ARE) and licensing and reciprocity requirements.

Part III, Qualifications for Licensing as a Professional
Engineer sets the fee structure and sets education and
experience requirements for licensing and eligibility for
examinations.

Part IV, Qualifications for Licensing as a Land
Surveyor, sets the fees, and establishes experience

Calendar of Events

requirements or the combination of education and experience necessary for licensing and examination. Also, minimum standards and procedures for land boundary surveying practice are established.

Part V, *Qualifications for Certification of Landscape Architects*, sets fees and establishes experience requirements or the combination of education and experience necessary to become eligible for the written examination and licensing.

Part VI, *Professional Corporations and Business Entities*, set the information and documents necessary to acquire a certificate of authority as a professional corporation, provides definitions and lists fees, and sets the information required to become registered as a business entity.

A summary of the major changes and their estimated impact is as follows:

1. Part II of the proposed regulations include incorporation of regulation § 2.5 J which formalizes the existing practice of holding a review session between board members and candidates failing Division B and C of the Architect Registration Examination. The table of equivalents regarding education and experience was modified. Proposed regulation § 2.6 would allow the Board to accept a currently valid license in good standing from the applicant's current base state if he transferred his licensure from the jurisdiction of original licensure.

2. Part III of the proposed regulations includes regulation § 3.9 which broadened the type of experience the Board would accept, thus enabling more persons to qualify faster for the examination.

Regulation § 3.6 differs from the old 5.9 regulation as no certificates will be issued and no experience is required after passing the Fundamentals of Engineering Exam. Upon passing the exam, the Engineering Intern Status will be achieved.

3. Part IV of the proposed regulations, through regulations § 4.4, allows full credit to be given to an applicant who has passed the NCEE examination in another jurisdiction. Such an applicant should find it easier to become licensed in Virginia.

Regulation § 4.10 clarifies the method for grading. It indicates the grade required for the Part II 3(a) NCEE portion of the exams. This exam is currently used by the Board in lieu of the exam which was previously written by Board members.

Regulation § 4.14 B. addresses the problem of subdivision surveys lacking corner monuments. The Board has received several inquiries and complaints regarding this issue. The proposed regulation would require corner monuments identified by witness stakes

to be set on such subdivision lots or parcels.

4. Part V of the proposed regulations was revised and unnecessary regulations deleted.

Statutory Authority: Chapters 1.1 and 3 of Title 54 and Chapter 7 of Title 13.1 of the Code of Virginia.

Written comments may be submitted until July 10, 1985.

Contact: Johnsie Williams, Assistant Director, Department of Commerce, 3600 W. Broad St., Richmond, Va. 23230-4917, telephone (804) 257-8555 (toll-free number 1-800-552-3016)

† July 10, 1985 - 9 a.m. - Public Hearing
Department of Commerce, Travelers Building, 3600 West Broad Street, 3rd Floor, Room 395, Richmond, Virginia. (Location accessible to handicapped.)

A public hearing to repeal current regulations and promulgate new regulations consistent with the Governor's Regulatory Review Program to ensure that they represent the least burdensome alternative to meet clearly established and justified regulatory needs.

APELSCLA Board meeting following hearing to address comments received, adopt regulations and other Board business.

† July 11, 1985 - 9 a.m. - Open Meeting
Department of Commerce, Travelers Building, 3600 West Broad Street, 5th Floor, Richmond, Virginia. (Location accessible to handicapped.)

A meeting to be held only if the APELSCLA Board needs a continuation of its July 10, 1985, meeting to complete adoption of its regulations and other Board business.

Contact: Johnsie Williams, Assistant Director, APELSCLA, 3600 W. Broad St., Richmond, Va. 23230-4917, telephone (804) 257-8555 (toll-free number 1-800-552-3016)

Professional Engineers

† July 9, 1985 - 1 p.m. - Open Meeting
Department of Commerce, Travelers Building, 3600 West Broad Street, 5th Floor, Richmond, Virginia. (Location accessible to handicapped.)

A meeting to (i) approve minutes, (ii) oral examinations, (iii) review applications, (iv) review investigative cases, and (v) regulations.

Contact: Johnsie Williams, Assistant Director, APELSCLA, 3600 W. Broad St., Richmond, Va. 23230-4917, telephone (804) 257-8555 (toll-free number 1-800-552-3016)

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VIRGINIA AUCTIONEERS BOARD

† July 11, 1985 - 9 a.m. - Open Meeting
Department of Commerce, Travelers Building, 3600 West Broad Street, Richmond, Virginia. (Location accessible to handicapped.)

A meeting to (i) consider disciplinary cases; (ii) discuss Certification Program; (iii) recommendations for the Administration's legislative package; (iv) review recommendations for pawn shop auctions; and to (v) elect officers.

Contact: Jennifer S. Wester, Department of Commerce, 3600 W. Broad St., Richmond, Va. 23230, telephone (804) 257-8555 (toll-free number 1-800-552-3016)

GOVERNOR'S ADVISORY COMMITTEE ON CHILD ABUSE

Subcommittee on Prevention

† July 26, 1985 - 1:15 p.m. - Open Meeting
Junior League, 205 West Franklin Street, Richmond, Virginia

The subcommittee will address prevention related issues which are identified in the report of the Governors Advisory Committee on Child Abuse and Neglect "Protecting Children from Abuse: Future Directions".

Contact: Sue Gibson, 6190 Studley Ave., Norfolk, Va. 23508, telephone (804) 423-3983 or Phyllis Breidenbaugh, Department of Social Services, 8007 Discovery Dr., Richmond, Va. 23229, telephone (804) 281-9695

GOVERNOR'S COMMISSION ON CHILD SUPPORT

July 9, 1985 - 3 p.m. - Public Hearing (1st Session)
July 9, 1985 - 7 p.m. - Public Hearing (2nd Session)
Virginia Polytechnic Institute, Donaldson Brown Center, Blacksburg, Virginia. (Location accessible to handicapped; interpreter for deaf provided if requested.)

July 18, 1985 - 4 p.m. - Public Hearing (1st Session)
July 18, 1985 - 7 p.m. - Public Hearing (2nd Session)
City Hall, City Council Chambers, Norfolk, Virginia. (Location accessible to handicapped; interpreter for deaf provided if requested.)

July 22, 1985 - 3 p.m. - Public Hearing (1st Session)
July 22, 1985 - 7 p.m. - Public Hearing (2nd Session)
George Mason University, Student Union II, Fairfax, Virginia. (Location accessible to handicapped; interpreter for deaf provided if requested.)

July 30, 1985 - 3 p.m. - Public Hearing (1st Session)

July 30, 1985 - 7 p.m. - Public Hearing (2nd Session)
General Assembly Building, Capitol Square, House Room D, Richmond, Virginia. (Location accessible to handicapped; interpreter for deaf provided if requested.)

These public hearings will provide the general public with an opportunity to voice their concerns and recommendations regarding Child Support. Some of the areas of concern are:

- Custody and Visitation,
- Enforcement Modification and Abatement,
- Interstate/ URESA,
- Paternity,
- Support Standards.

August 14, 1985 - 9 a.m. - Open Meeting
General Assembly Building, Capitol Square, House Room C, Richmond, Virginia. (Location accessible to handicapped; interpreter for deaf provided if requested.)

A regular Commission meeting.

The subcommittees will convene at 9 a.m. and 11 a.m. on the 4th, 5th, and 7th floors of the General Assembly Building after initially meeting in House Room C for brief instructions.

At 1 p.m. the full Commission will reconvene in House Room C for a full Commission meeting.

The nature of business is to review the information obtained at the public hearings and to finalize the recommendations to be included in the report for the Governor.

Contact: Linda Hence, Staff Assistant to the Commission, Division of Support Enforcement, 8004 Franklin Farms Dr., Lee Bldg., Suite 201, Richmond, Va. 23229-8699, telephone (804) 281-9632

STATE BOARD FOR CONTRACTORS

July 17, 1985 - 10 a.m. - Public Hearing
Department of Commerce, Travelers Building, 3600 West Broad Street, Room 395, Richmond, Virginia. (Location accessible to handicapped.)

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board for Contractors intends to amend regulations entitled: Rules and Regulations adopted April 11, 1984. (§ 1.4 Class A fee and § 1.5 Class B fee) The proposed amendments will set the amount of fee for an initial Class A Contractor license and for an initial Class B Contractor license and recodify regulations to conform to new form and style procedures for regulations. The proposed amendments will raise initial license fees to cover a projected revenue shortfall in the 1984-1986 biennium.

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STATEMENT

Preliminary Statement of Basis, Purpose, Impact and Summary: Pursuant to §§ 54-1.28 and 54-119 of the Code of Virginia, and in accordance with §§ 9-6.14:1 et seq. and 54-1.17, the State Board for Contractors proposes to amend its existing regulations.

Regulations of the State Board for Contractors apply directly to approximately 30,000 actively licensed contractors. There are approximately 6,450 new applicants for licensure per year, of which approximately 1,450 are applicants for a Class A license and approximately 5,000 are applicants for a Class B license.

The proposed amendments will raise the initial license fee for Class A Contractors from \$60 to \$100 and raise the initial Class B license fee from \$20 to \$100 for the purpose of increasing revenue to cover the costs of the Department of Commerce in administering the regulation of contractors in Virginia. Amendments will also recodify existing regulations to conform to new form and style requirements for regulations.

Estimated impact:

A. Regulation § 1.4 sets forth the initial license fee for Class A Contractors. The amendment provides a \$40 increase in the initial license fee and will impact upon approximately 1,450 applicants for this type of license per year;

B. Regulation § 1.5 sets forth the initial license fee for Class B Contractors. The amendment provides a \$80 increase in the initial license fee and will impact upon approximately 5,000 applicants for this type of license per year; and

C. All other amendments are only a recodification of existing regulations to conform to new form and style requirements for regulations. There appears to be no discernable impact involved in this recodification.

Statutory Authority: §§ 54-128 and 54-119 of the Code of Virginia.

Written comments may be submitted until July 17, 1985.

Contact: E. G. Andres, Assistant Director, Department of Commerce, 3600 W. Broad St., Richmond, Va. 23230, telephone (804) 257-8511 (toll-free 1-800-552-3016)

† July 24, 1985 - 10 a.m. - Open Meeting
Virginia Beach Community Services Board, Pembroke Office Park, Pembroke Six, Conference Room, Suite 218, Virginia Beach, Virginia

The Board will meet to conduct a formal fact-finding hearing regarding State Board for Contractors v. Strassberg & Larrivee; Virginia Beach, Virginia.

This matter was continued from June 20, 1985.

Contact: Sylvia W. Bryant, Hearings Coordinator, Department of Commerce, 3600 W. Broad St., Richmond, Va. 23230, telephone (804) 257-8524

BOARD OF CORRECTIONS

July 10, 1985 - 10 a.m. - Open Meeting
August 14, 1985 - 10 a.m. - Open Meeting
4615 West Broad Street, Richmond, Virginia. (Location accessible to handicapped.)

A regular monthly meeting to consider such matters as may be presented to the Board of Corrections.

Contact: Vivian Toler, Secretary to the Board, 4615 W. Broad St., P. O. Box 26963, Richmond, Va. 23261, telephone (804) 257-6274

VIRGINIA BOARD OF DENTISTRY

July 25, 1985 - 1 p.m. - Open Meeting
July 26, 1985 - 8 a.m. - Open Meeting
July 27, 1985 - 8 a.m. - Open Meeting
Radisson Hotel, 235 West Main Street, Charlottesville, Virginia

The Virginia Board of Dentistry will hold a meeting to consider the proposed regulations approved on December 8, 1984.

Contact: Nancy T. Feldman, Executive Director, 517 W. Grace St., Box 27708, Richmond, Va. 23261, telephone (804) 786-0311

COUNCIL ON THE ENVIRONMENT

† July 16, 1985 - 10 a.m. - Open Meeting
18 North King Street, County Board Room, Leesburg, Virginia

Environmental issues in the state will be reviewed, and citizens will be given an opportunity to address the Council during the Citizen Forum portion of the meeting.

Contact: Hannah Crew, 903 Ninth Street Office Bldg., Richmond, Va. 23219, telephone (804) 786-4500

VIRGINIA STATE FIRE COMMISSION

† July 25, 1985 - 7:30 p.m. - Public Hearing
Covington Fire Department, 425 Hawthorne Street, Covington, Virginia

A public hearing of the Virginia Fire Commission to discuss fire training, fire policies and open discussion with the public.

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† July 26, 1985 - 9 a.m. - Open Meeting
Covington Fire Department, 425 Hawthorne Street,
Covington, Virginia

A meeting of the Virginia Fire Commission to discuss
fire training and fire related subjects and policies.

Contact: Anne J. Bales, Department of Fire Programs,
James Monroe Bldg., 17th Floor, Richmond, Va. 23219,
telephone (804) 225-2681

VIRGINIA BOARD OF FUNERAL DIRECTORS AND EMBALMERS

† July 15, 1985 - 7:30 p.m. - Open Meeting
July 16, 1985 - 10 a.m. - Open Meeting
Virginia Department of Health Regulatory Boards, 517
West Grace Street, Main Board Room, Richmond, Virginia.
(Location accessible to handicapped.)

A general Board meeting.

Contact: Mark L. Forberg, Executive Secretary, P. O. Box
27708, 517 W. Grace St., Richmond, Va. 23261,
telephone (804) 786-0076

COMMISSION OF GAME AND INLAND FISHERIES

† July 26, 1985 - 9:30 a.m. - Open Meeting
Game Commission Offices, 4010 West Broad Street,
Richmond, Virginia. (Location accessible to handicapped.)

The Commission will meet to (i) consider and
establish the 1985-86 Migratory Game Bird Seasons for
Virginia as prescribed under the U.S. Fish & Wildlife
Service Framework on hunting migratory game birds;
(ii) consider a proposed amendment to Regulation
R29-1 (§ 1.), pertaining to the application for a
certificate of number for a motorboat; and (iii)
general administrative matters.

Contact: Norma G. Adams, 4010 W. Broad St., Richmond,
Va. 23230, telephone (804) 257-1000

DEPARTMENT OF GENERAL SERVICES

Art and Architectural Review Board

August 2, 1985 - 10 a.m. - Open Meeting
Virginia Museum of Fine Arts, Boulevard and Grove
Avenue, Main Conference Room, Richmond, Virginia.
(Location accessible to handicapped.)

The Council will advise the Director of the
Department of General Services and the Governor on

architecture of state facilities to be constructed and
works of art to be accepted or acquired by the
Commonwealth.

Contact: Dorothy D. Ivankoe, Department of General
Services, 209 Ninth Street Office Bldg., Richmond, Va.
23219, telephone (804) 786-3311

Art and Architectural Review Council

July 12, 1985 - 10 a.m. - Open Meeting
Virginia Museum of Fine Arts, Boulevard and Grove
Avenue, Main Conference Room, Richmond, Virginia.
(Location accessible to handicapped.)

The Council will advise the Director of the
Department of General Services and the Governor on
architecture of state facilities to be constructed and
works of art to be accepted or acquired by the
Commonwealth.

Contact: Dorothy E. Ivankoe, Department of General
Services, 209 Ninth Street Office Bldg., Richmond, Va.
23219, telephone (804) 786-3311

GOVERNOR'S EMPLOYMENT AND TRAINING DIVISION

July 29, 1985 - 10 a.m. - Public Hearing
Governor's Employment and Training Division, 417 East
Grace Street, 3rd Floor Conference Room, Richmond,
Virginia

*Notice is hereby given in accordance with § 9-6.14:7.1
of the Code of Virginia that the Governor's
Employment and Training Division intends to amend
regulations entitled: Management Requirements for
Job Training Partnership Act Programs and
Activities. These regulations will be used by local
Service Delivery Areas to plan, administer and operate
job training programs.*

STATEMENT

Basis: This regulation is issued under the authority of §
2.1-708 (3) of the Code of Virginia

Subject: This regulation sets forth standards for
administering and operating Job Training Partnership Act
activities.

Substance: This revision restructures the regulations and
clarifies the language of certain sections. Areas covered by
the regulations include responsibilities for: Equal
Employment Opportunity/Affirmative Action; grievance;
fraud and abuse; participant eligibility and contract
management.

Issues: The intent of this revision has been to (i)
restructure the regulations pursuant to the changes in the

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Administrative Process Act, (ii) clarify sections which on-going evaluation has revealed to be confusing or insufficient and (iii) simplify language throughout.

Purpose: *The purpose of this regulation is to (i) provide direction as required of the state in the Job Training Partnership Act and (ii) establish uniform criteria for administering and operating programs.*

Statutory Authority: § 2.1-708 (3) of the Code of Virginia.

Written comments may be submitted until July 27, 1985.

Contact: Patricia Walsh, Technical Assistance Unit Director, Governor's Employment and Training Division, 417 E. Grace St., P. O. Box 12083, Richmond, Va. 23241, telephone (804) 786-2254

GOVERNOR'S JOB TRAINING COORDINATING COUNCIL

July 15, 1985 - 10:30 a.m. – Open Meeting
Richmond Marriott, 500 East Broad Street, Richmond, Virginia. (Location accessible to handicapped; interpreter for deaf provided if requested.)

This is a general meeting of the Council and is open to the public.

Contact: Gladys Walker, Governor's Employment and Training Division, 417 E. Grace St., P. O. Box 12083, Richmond, Va. 23241, telephone (804) 786-8085

GOVERNOR'S REGULATORY REFORM ADVISORY BOARD

July 25, 1985 - 10 a.m. – Public Hearing
General Assembly Building, Capitol Square, House Room C, Richmond, Virginia. (Location accessible to handicapped.)

A review and modification of "staff" draft of legislation incorporating decisions made on the three issues being examined with respect to the Administrative Process Act, and adoption of draft for public hearing.

September 10, 1985 - 10 a.m. – Public Hearing
General Assembly Building, Capitol Square, House Room C, Richmond, Virginia. (Location accessible to handicapped.)

A public hearing on the draft legislation proposed at the July 25th meeting; and adoption for introduction at 1986 session.

Contact: Philip F. Abraham, State Capitol, Governor's Office, Richmond, Va. 23219, telephone (804) 786-2211

HAZARDOUS WASTE FACILITY SITING BOARD

† **July 10, 1985 - 10 a.m. – Open Meeting**
James Monroe Building, 101 North 14th Street, Conference Room C, Richmond, Virginia. (Location accessible to handicapped.)

The Board will conduct its regular business meeting and consider amendments to draft regulations for Siting Criteria, Administrative Procedures, Local Technical Assistance Fund Administration and Certification Fees for the siting of hazardous waste management facilities in the Commonwealth. The Board will also consider proposing regulations for public review and comment subject to the provision of the Administrative Process Act and the Board's Public Participation Regulations.

Contact: Harry E. Gregori, Jr., Executive Director, James Monroe Bldg., 101 N. 14th St., 17th Floor, Richmond, Va. 23219, telephone (804) 225-3235

STATE BOARD OF HEALTH

† **July 17, 1985 - 10 a.m. – Open Meeting**
James Madison Building, 109 Governor Street, 1st Floor Conference Room, Richmond, Virginia. (Location accessible to handicapped.)

This is a general business meeting of the Board. Officers for the 1985-86 year will be elected.

Contact: Sally Camp, James Madison Bldg., 109 Governor St., Room 400, Richmond, Va. 23219, telephone (804) 786-3562

DEPARTMENT OF HEALTH

August 23, 1985 - 10 a.m. – Public Hearing
James Madison Building, 109 Governor Street, Main Floor Auditorium, Richmond, Virginia. (Location accessible to handicapped.)

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Health intends to amend regulations entitled: Virginia Voluntary Formulary. A list of drugs of accepted therapeutic value, commonly prescribed and available from more than one source of supply.

STATEMENT

Subject, Substance, Issues, Basis and Purpose:

The purpose of the Virginia Formulary is to provide a list of drugs of accepted therapeutic value, commonly prescribed within the state which are available from more than one source of supply, and a list of chemically and therapeutically equivalent drug products which have been determined to be interchangeable. Utilization of the Formulary by practitioners and pharmacists enables

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citizens of Virginia to obtain safe and effective drug products at a reasonable price consistent with high quality standards.

The proposed revision to the Virginia Voluntary Formulary deletes drug products from the Formulary. These deletions are based upon recommendations of the Virginia Voluntary Formulary Council following its review of scientific data submitted by pharmaceutical manufacturers. The Council makes its recommendations to the State Board of Health.

The Virginia Voluntary Formulary is needed to enable citizens of Virginia to obtain safe and effective drug products at a reasonable price consistent with high quality standards. Without the Formulary, physicians, dentists, and pharmacists in Virginia would not have the assurance that those generic drug products that may be substituted for brand name products have been evaluated and judged to be interchangeable with the brand name products.

Statutory Authority: §§ 32.1-12 and 32.1-79 et seq. of the Code of Virginia.

Written comments may be submitted no later than 5 p.m., August 23, 1985.

Contact: James K. Thomson, Director, Bureau of Pharmacy Services, Department of Health, James Madison Bldg., 109 Governor St., Richmond, Va. 23219, telephone (804) 786-4326

† **September 16, 1985 - 7 p.m.** - Public Hearing
Roanoke County Administrative Complex, 3738 Brambleton Avenue, S.W., Community Room, Roanoke, Virginia

† **September 17, 1985 - 7 p.m.** - Public Hearing
Harrisonburg Electric Commission, 89 West Bruce Street, Community Room, Harrisonburg, Virginia

† **September 18, 1985 - 7 p.m.** - Public Hearing
Mary Washington College, 104 Monroe Hall, Fredericksburg, Virginia

† **September 19, 1985 - 7 p.m.** - Public Hearing
Peninsula Health District, Newport News City, Health Department, 416 J. Clyde Morris Boulevard, (US 17 South), Main Auditorium, Newport News, Virginia

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Health intends to amend regulations entitled: **Sewage Handling and Disposal Regulations**. The Sewage Handling and Disposal Appeals Review Board adjudicates all appeals of denials of on-site sewage disposal system permits. This regulation establishes an \$800 fee to be charged to applicants in order to cover direct cost of their hearing before the Review Board.

STATEMENT

Purpose: The purpose of this regulation is to establish an \$800 fee to be charged applicants for each appearance before the Review Board.

Summary and Analysis: The Sewage Handling and Disposal Advisory Committee, at their April 15, 1985, meeting, passed a motion that the appeals fee should be set at \$800 per appeal (which is based upon average direct cost of hearing) unless the Health Department is willing to absorb some portion of the costs.

Direct costs per appeal are estimated to be as follows:

Travel: 20.5¢/mile/7 members	\$258.30
Meals: \$20/day/person	70.00
Lodging: \$40/night	120.00
Misc: parking, phone calls, etc.	35.00
Court Reporter	327.00
Totalling	\$810.30

Impact: Applicants for formal hearing in the past paid no fee in order to have a formal adjudicatory hearing before an administrative law judge. The adoption of an \$800 fee will financially impact future applicants, however, the cost to taxpayers will be reduced due to the adoption of this fee.

Evaluation: The department will track actual costs for each appeal and evaluate direct costs on an annual basis. If fees are too high or too low, then the department will suggest the appropriate modification.

Statutory Authority: § 32.1-164 of the Code of Virginia.

Written comments may be submitted until September 20, 1985.

Contact: P.M. Brooks, Public Health Engineer C, 109 Governor St., 502 James Madison Bldg., Richmond, Va. 23219, telephone (804) 786-1931

COMMISSION OF HEALTH REGULATORY BOARDS

July 16, 1985 - 1 p.m. - Open Meeting
VCU Meeting Center (Harrison and Floyd Streets), 101 North Harrison Street, Richmond, Virginia. (Location accessible to handicapped; interpreter for deaf provided if requested.)

A regular quarterly meeting of the Commission to discuss routine matters. A progress report on regulatory review will be presented. The Nominating Committee for 1985-86 Commission Officers and Executive Committee will be appointed. Progress reports of special and standing committees will be received.

Contact: Richard D. Morrison, Policy Analyst, 517 W. Grace St., P. O. Box 27708, Richmond, Va. 23261, telephone (804) 786-0822

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VIRGINIA HEALTH SERVICES COST REVIEW COMMISSION

† July 24, 1985 - 9:30 a.m. - Open Meeting
† August 28, 1985 - 9:30 a.m. - Open Meeting
Blue Cross and Blue Shield of Virginia, 2015 Staples Mill Road, Virginia Room, Richmond, Virginia. (Location accessible to handicapped.)

A monthly business meeting of the Commission for the purpose of addressing financial, policy or technical matters which may have arisen since last meeting.

Contact: Ann Y. McGee, Director, 805 E. Broad St., 9th Floor, Richmond, Va. 23219, telephone (804) 786-6371

COUNCIL OF HIGHER EDUCATION

† July 17, 1985 - 9 a.m. - Open Meeting
James Monroe Building, 101 North 14th Street, Richmond, Virginia. (Location accessible to handicapped.)

A monthly Council meeting.

Council of Higher Education, 101 N. 14th St., Richmond, Va. 23219, telephone (804) 225-2137

DEPARTMENT OF HIGHWAYS AND TRANSPORTATION

July 10, 1985 - 7:30 p.m. - Public Hearing
County Courthouse, Surry, Virginia

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Highways and Transportation intends to amend regulations entitled: Fares for the Jamestown-Scotland ferry. These are the fares charged for travel on the ferry between Jamestown and Scotland, Virginia.

Statutory Authority: § 33.1-254 of the Code of Virginia.

Written comments may be submitted until July 10, 1985, to J. T. Warren, Director of Operations, 1221 E. Broad St., Richmond, Va. 23219.

Contact: R. J. Gibson, Resident Engineer, P. O. Box 45, Waverly, Va. 23890, telephone (804) 834-2333

July 11, 1985 - 9 a.m. - Public Hearing
Department of Highways and Transportation, 1221 East Broad Street, Auditorium, Richmond, Virginia. (Location accessible to handicapped; interpreter for deaf provided if requested.)

A public hearing to receive comments from the four eastern highway districts on highway allocations for the coming year and on updating the six-year improvement program for the interstate, primary and urban systems.

July 18, 1985 - 10 a.m. - Open Meeting
Department of Highways and Transportation, 1221 East Broad Street, Board Room, Richmond, Virginia. (Location

accessible to handicapped; interpreter for deaf provided if requested.)

A monthly meeting of the Highway and Transportation Board to vote on proposals presented regarding bids, permits, additions and deletions to the highway system and any other matters requiring Board approval.

Contact: J. T. Warren, Director of Operations, 1221 E. Broad St., Richmond, Va. 23219, telephone (804) 786-2711

VIRGINIA HOUSING DEVELOPMENT AUTHORITY

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Virginia Housing Development Authority intends to amend regulations entitled: Amendment to Procedures, Instructions and Guidelines for Single Family Mortgage Loans to Persons and Families of Low and Moderate Income. The amendment modifies the provisions in the Procedures, Instructions and Guidelines relating to the maximum allowable sales prices and maximum allowable adjusted incomes under the Authority's single family programs.

STATEMENT

Purpose: To redesignate the Northern Virginia Planning District as the Washington, DC-MD-VA MSA and to make certain adjustments in the maximum allowable sales prices and maximum allowable adjusted incomes.

Basis: Rule 103 of the Rules and Regulations of the Authority adopted pursuant to § 36-55.30:3 of the Code of Virginia.

Subject, Substance and Issues: Under the current provisions of the Authority's Procedures, Instructions and Guidelines, maximum allowable sales prices and maximum allowable adjusted incomes are established for the Northern Virginia Planning District. The proposed regulation will adopt the federal designation of the Washington, DC-MD-VA MSA and, in accordance with such federal designation, include Stafford County therein. Accordingly, the maximum allowable sale prices and maximum allowable adjusted incomes of Stafford County will be increased to those previously authorized for the Northern Virginia Planning District. In order to facilitate the full and prompt use of funds available from certain prior bond issues of the Authority, the proposed regulations would increase the maximum allowable sales prices and maximum allowable adjusted incomes for mortgage loans to finance residences in the Washington, DC-MD-VA MSA from such funds. In recognition of the additional construction costs of providing energy saving improvements under the Authority's Solar Home Grant Program, the maximum allowable sales price applicable to a residence will be increased by the amount of any grant made for the residence under such program.

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Impact: By increasing the maximum allowable sales prices and maximum allowable adjusted incomes, the Authority expects to make approximately an additional 200 to 300 mortgage loans to persons and families of low and moderate income in the Washington, DC-MD-VA MSA, including Stafford County, and to make approximately 50 mortgage loans to finance residences for which grants are made under the Solar Home Grant Program and which would not be eligible under the current maximum allowable sales prices. The Authority does not expect that any significant costs will be incurred for the implementation of and compliance with the proposed regulation.

Statutory Authority: § 36-55.30:3 of the Code of Virginia.

Written comments may be submitted until July 15, 1985.
Contact: Judson McKellar, Jr., General Counsel, 13 S. 13th St., Richmond, Va. 23219, telephone (804) 782-1986

Board of Commissioners

† July 16, 1985 - 10 a.m. - Open Meeting
13 South 13th Street, Richmond, Virginia. (Location accessible to handicapped.)

An annual meeting of the Board of Commissioners of the Virginia Housing Development Authority. The Board of Commissioners will; (i) review and, if appropriate, approve the minutes from the prior monthly meeting; (ii) consider for approval and ratification mortgage loan commitments under its various programs; (iii) review the Authority's operations for the prior month; (iv) consider the adoption of an amendment to Procedures, Instructions and Guidelines for Single Family Mortgage Loans to Persons and Families of Low and Moderate Income; (v) hold elections for Chairman and Vice Chairman of the Board of Commissioners; and (vi) will consider such other matters and take such other actions as they may deem appropriate. The planned agenda of the meeting will be available at the offices of the Authority one week prior to the date of the meeting.

Contact: Judson McKellar, Jr., General Counsel, 13 S. 13th St., Richmond, Va. 23219, telephone (804) 782-1986

BOARD OF HOUSING AND COMMUNITY DEVELOPMENT

† September 16, 1985 - 11 a.m. - Public Hearing
State Capitol, Capitol Square, House Room 4, Richmond, Virginia. (Location accessible to handicapped.)

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Housing and Community Development intends to amend regulations entitled: Virginia Industrialized Building Unit and Mobile Home Safety Regulations/1984.

STATEMENT

Subject and Substance: Proposed change to the plumbing requirements in the previously proposed adoption of a 1984 edition of the Virginia Industrialized Building Unit and Mobile Home Safety Regulations to amend and replace the 1981 edition thereof. The change will prohibit the use of lead bearing solders and fluxes in water service and distribution piping.

Issues: 1. Estimated impact with respect to number of persons affected: all citizens of Virginia who use buildings hereafter constructed will be affected.

2. Projected costs for implementation somewhat less expensive than acceptable substitutes. However, the overall increase in costs of plumbing systems for water service and distribution will apparently be small. Discussions with industry sources indicate that the added cost is not a matter of material concern.

Basis: §§ 36-70 and 36-85.1 of the Code of Virginia.

Purpose: To prevent unsafe levels of lead in drinking water in buildings, as recommended by the State Health Commissioner.

Statutory Authority: §§ 36-70 and 36-85.1 of the Code of Virginia.

Written comments may be submitted until September 16, 1985.

Contact: C. S. Mullen, Deputy Director, Department of Housing and Community Development, 205 N. 4th St., Richmond, Va. 23219, telephone (804) 786-4751

† September 16, 1985 - 11 a.m. - Public Hearing
State Capitol, Capitol Square, House Room 4, Richmond, Virginia. (Location accessible to handicapped.)

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Housing and Community Development intends to amend regulations entitled: Virginia Uniform Statewide Building Code - Volume I - New Construction Code/1984.

STATEMENT

Subject and Substance: Proposed change to the plumbing requirements in the previously proposed adoption of a 1984 edition of the Virginia Uniform Statewide Building Code - Volume I - New Construction Code to amend and replace the 1981 edition thereof. The change will prohibit the use of lead bearing solders and fluxes in water service and distribution piping.

Issues: 1. Estimated impact with respect to number of persons affected: all citizens of Virginia who own buildings hereafter constructed will be affected.

2. Projected costs for implementation and compliance: the

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lead bearing solders which are in current use are somewhat less expensive than acceptable substitutes. However, the overall increase in costs of the plumbing system for water service and distribution will apparently be very small, and discussions with industry sources indicate that the added cost is not a matter of material concern.

Basis: §§ 36-97 - 36-107 of the Code of Virginia.

Purpose: To prevent unsafe levels of lead in drinking water in buildings, as recommended by the State Health Commissioner.

Statutory Authority: §§ 36-97 - 36-107 of the Code of Virginia.

Written comments may be submitted until September 16, 1985.

Contact: C. S. Mullen, Deputy Director, Department of Housing and Community Development, 205 N. 4th St., Richmond, Va. 23219, telephone (804) 786-4751

† **September 16, 1985 - 10 a.m. – Public Hearing**
State Capitol, Capitol Square, House Room 4, Richmond, Virginia. (Location accessible to handicapped.)

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Housing and Community Development intends to amend regulations entitled: Urban Enterprise Zone Program Regulations. The proposed regulations set forth the administrative procedures for implementing the Urban Enterprise Zone Act and requirements for business firms in applying for state tax credits.

STATEMENT

Subject: Revision of the Urban Enterprise Zone Program Regulations to follow 1985 amendments to the Urban Enterprise Zone Act.

Substance: The 1985 amendments allow a locality to ask for permission to enlarge the boundaries of its enterprise zone. This proposed amendment establishes procedures for a locality to follow in requesting permission to enlarge its zone.

Issues and Impact: This proposed amendment could impact no more than the 14 localities which have enterprise zones or portions of enterprise zones within their boundaries. The total population within the state's enterprise zone is 130,000. Jurisdictions that seek to enlarge their enterprise zones would incur relatively small staff costs in preparing the application for changing zone boundaries. The state costs which would also be small would result from staff time spent in reviewing applications to enlarge enterprise zones.

Basis: § 59.1-278 of the Code of Virginia.

Purpose: To bring the Urban Enterprise Zone program regulations in line with recent amendments to the Code of Virginia.

Statutory Authority: § 59.1-278 of the Code of Virginia.

Written comments may be submitted until September 16, 1985 to Neal J. Barber, Acting Director, Department of Housing and Community Development, 205 North Fourth Street, Richmond, Virginia 23219.

Contact: Stanley S. Kidwell, Jr., Associate Director, Virginia Department of Housing and Community Development, 205 N. 4th St., Richmond, Va. 23219, telephone (804) 786-4966

DEPARTMENT OF LABOR AND INDUSTRY

August 2, 1985 - 10 a.m. – Public Hearing
State Capitol, Capitol Square, House Room 4, Richmond, Virginia. (Location accessible to handicapped.)

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Labor and Industry intends to amend regulations entitled: Virginia Occupational Safety and Health Standards for General Industry, Hazard Communication Standard. (VR 425-02-1) The Hazard Communication Standard's purpose is to ensure that the hazards of all chemicals produced or imported by chemical manufacturers or importers are evaluated, and that information concerning their hazards is transmitted to affected employers and employees throughout the private sector.

STATEMENT

Subject, Substance, Issues, Basis and Purpose: The present Virginia Hazard Communication Standard applies to Standard Industrial Classification (SIC) Codes 20-39 and state and local government employers.

The Virginia Occupational Safety and Health (VOSH) Program proposed to amend the scope of the Hazard Communication Standard to include all employers except those in the Agricultural and Construction (SIC) Codes (i.e., thus the scope of the amended Hazard Communication Standard will apply to SIC Codes 20-90 and state and local government employers).

Also by the present regulatory action the Virginia Occupational Safety and Health (VOSH) Program proposes to amend § 1910.1200 (i) (3) to include nurses within the definition of "Health Professionals" who may request access to trade secret information in nonemergency situations.

Statutory Authority: § 40.1-22 (5) of the Code of Virginia.

Written comments may be submitted until July 15, 1985, to

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Department of Labor and Industry, P. O. Box 12064, Richmond, Virginia 23241.

Contact: Dr. Clarence H. Wheeling, Enforcement Director, Bureau of Occupational Health, 109 Governor St., Richmond, Va. 23219, telephone (804) 786-6285

STATE LAND EVALUATION ADVISORY COMMITTEE

† **August 12, 1985 - 10 a.m. - Open Meeting**
Department of Taxation, 2220 West Broad Street, Commissioner's Conference Room, Richmond, Virginia. (Location accessible to handicapped.)

A meeting to select ranges of value to be suggested to local government for eligible land used for agricultural, horticultural, forest and open-space purposes.

If necessary, a follow-up meeting will be held at 10 a.m. on August 26, at the same location.

Contact: Otho C. W. Fraher, Director, Property Tax Division, Department of Taxation, 2220 W. Broad St., Richmond, Va. 23220, telephone (804) 257-8020

VIRGINIA MARINE RESOURCES COMMISSION

† **July 8, 1985 - 7 p.m. - Public Hearing**
Rappahannock Community College, South Campus, Glens, Virginia

A public hearing on the emergency regulation "Pertaining to the Taking of Striped Bass". Written comments will be received through July 8, 1985.

Copies of the above emergency regulation may be obtained from or seen at the Marine Resources Commission, 2401 West Avenue, Newport News, Virginia 23607.

Contact: Jack G. Travelstead, Marine Resources Commission, P. O. Box 756, Newport News, Va. 23607

† **July 9, 1985 - 9:30 a.m. - Open Meeting**
Virginia Marine Resources Commission, 2401 West Avenue, Main Office, Newport News, Virginia

A special Commission meeting to consider Emergency Regulation No. VR 450-01-0034.

Contact: Virginia S. Chappell, Secretary to the Commission, 2401 West Ave., Newport News, Va. 23607, telephone (804) 247-2208

VIRGINIA STATE BOARD OF MEDICINE

July 18, 1985 - 8:30 a.m. - Open Meeting

July 19, 1985 - 8:30 a.m. - Open Meeting

July 20, 1985 - 8:30 a.m. - Open Meeting
Cavalier on the Hill, 42nd Street, Virginia Beach, Virginia. (Location accessible to handicapped.)

The Board will meet to review reports, interview licensees and make decisions on disciplinary matters before the Board on Thursday, Friday and Saturday morning. At 1:30 p.m., Saturday, the 20th of July, the full Board will meet in open session to conduct general Board business.

Contact: Eugenia K. Dorson, Executive Secretary, 517 W. Grace St., P. O. Box 27708, Richmond, Va. 23261, telephone (804) 786-0575

DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION

September 10, 1985 - 7 p.m. - Public Hearing
Mary Washington College, Fredericksburg, Virginia. (Location accessible to handicapped.)

September 11, 1985 - 11 a.m. - Public Hearing
Western State Hospital, Staff Development Building, Rooms 86 and 87, Staunton, Virginia. (Location accessible to handicapped.)

September 12, 1985 - 1 p.m. - Public Hearing
Senior Citizen's Center, 307 Park Street, Marion, Virginia. (Location accessible to handicapped.)

A public hearing on proposed Community Rules and Regulations to invite comment from those interested persons who will be affected by these regulations.

Contact: Elsie D. Little, A.C.S.W., P. O. Box 1797, Richmond, Va. 23214, telephone (804) 786-3988

September 13, 1985 - 11 a.m. - Public Hearing
Southeastern Virginia Training Center, Building 3, Inservice Training Room, Chesapeake, Virginia

*Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Mental Health and Mental Retardation intends to adopt regulations entitled: **Rules and Regulations to Assure the Rights of Clients in Community Programs.** (VR 470-03-03) The purpose of the regulations is to delineate the rights of clients of community programs licensed or funded by the Department of Mental Health and Mental Retardation.*

STATEMENT

Subject, Basis and Purpose: *The Rules and Regulations to Assure the Rights of Clients in Community Programs Licensed or Funded by the Department of Mental Health and Mental Retardation are to delineate the rights of clients of community programs licensed or funded by the Department of Mental Health and Mental Retardation. The Community Rules and Regulations identify those fundamental rights which may not be restricted by a community program. The regulations define those client*

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rights which may be restricted for therapeutic reasons, aid in the assurance of client participation in treatment for therapeutic reasons, aid in the assurance of client participation in treatment decision making, and define client participation in work activities. An administrative review process for review of alleged violations of rights is established. That mechanism delineated the roles and responsibilities of the persons involved. These regulations will be more appropriate to meet the requirements and scope of community programs.

The Community Rules and Regulations are needed in order to comply with § 37.1-84.1, of the Code of Virginia. Since protection of individual rights in funded or licensed programs by the Department of Mental Health and Mental Retardation is a mandate, not providing regulations for clients in community programs was considered an acceptable alternative. Without the Community Rules and Regulations, the Department of Mental Health and Mental Retardation could not offer consistent rights protection of those clients. Rights violations might go undetected or be inadequately handled by the community program staff. Rights violations that could be quickly and fairly handled by means set forth in these rules and regulations might be handled by complicated, costly and time consuming court procedures instead if the rules and regulations are not established.

Substance and Issues: A 16 member task force, established by the Department of Mental Health and Mental Retardation has been working on the Community Rules and Regulations for the past three years. The membership represented a wide variety of public and private professional and consumer interests in all three disability areas. The task force focused its efforts on developing rules and regulations that would present the least burden on regulated programs while still ensuring the protection of client rights.

In May, 1983, October, 1984, and December, 1984, the Department of Mental Health and Mental Retardation mailed out copies of the Community Rules and Regulations to agencies and interested individuals for comments and the rules and regulations were rewritten in response to comments received.

In considering alternative approaches to meet the need, the proposed regulations address a number of options. One alternative approach to these regulations which was considered was to write separate rules and regulations for each of the disability areas (mental illness, mental retardation, and substance abuse) was considered. This idea was rejected because many programs provided services in two or all three of these areas and would, therefore, have to be familiar with two or three sets of rules and regulations. Writing separate rules and regulations for residential and nonresidential programs was yet another alternative considered. This idea was rejected because many community services boards and agencies have both residential and nonresidential programs and

would, therefore, have to operate with two sets of rules and regulations.

Statutory Authority: §§ 37.1-10 and 37.1-84.1 of the Code of Virginia.

Written comments may be submitted until September 15, 1985.

Contact: Elsie D. Little, A.C.S.W., State Human Rights Director, P. O. Box 1797, Richmond, Va. 23214, telephone (804) 786-3988

Systemwide Training Workgroup

August 6, 1985 - 10 a.m. - Open Meeting
Zincke Building, 203 Governor Street, Room 302, 3rd Floor,
Richmond, Virginia. (Location accessible to handicapped.)

A meeting to discuss training issues related to facility and community programs.

Contact: Ken Macurik, Training Office, P. O. Box 1797,
Richmond, Va. 23214, telephone (804) 786-6133

DEPARTMENT OF MINES, MINERALS AND ENERGY

July 15, 1985 - 10 a.m. - Public Hearing
Division of Mined Land Reclamation, 622 Powell Avenue,
Conference Room, Big Stone Gap, Virginia

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Mines, Minerals and Energy intends to amend regulations entitled: **Chapter 19, Coal Surface Mining Reclamation Regulations**. These regulations establish the procedures and requirements through which the Virginia Coal Surface Mining Control and Reclamation Act of 1979 and the Federal Surface Mining Control and Reclamation Act of 1977 are implemented pursuant to the Virginia Permanent Regulatory Program, as approved by the United States Secretary of the Interior.

STATEMENT

Basis: These regulations are issued under the authority granted by § 45.1-230 of the Code of Virginia.

Purpose: These regulations set forth the coal mining and reclamation operations subject to the Act; procedures for mining on federal lands in Virginia under a state - federal cooperative agreement; procedures to designate certain areas as unsuitable for mining; applications for and decisions on permits; performance bond and public liability insurance; environmental and other performance standards which apply to mining operations; inspection, enforcement, and civil penalty provisions; and the procedures applicable to the operation of the program to reclaim abandoned coal mine lands.

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Issues: The Department is proposing major revisions to the current regulations resulting from its regulatory review program. A reorganization and consolidation of most rules plus elimination of a companion Technical Handbook is being considered. Also, many design standards would be replaced by general performance criteria.

The United State Secretary of the Interior notified Virginia that several provisions of the current regulations are not as effective as certain revised federal rules. The proposed revisions will correct those deficiencies as well.

Substance: The federal system of numbering has been followed where possible to ensure Virginia's program is as effective as the federal rules and to help identify future revisions to the federal standards which may affect the state's program. Provisions which differ from the federal rules and account for Virginia's climate, terrain, and state and local government processes are proposed where necessary.

Statutory Authority: § 45.1-230 of the Code of Virginia.

Written comments may be submitted until July 15, 1985.

Contact: Conrad T. Spangler, Chief Engineer, Drawer U, Big Stone Gap, Va. 24219, telephone (804) 523-2925

Division of Mines

† **September 12, 1985 - 9:30 a.m.** – Public Hearing
Mountain Empire Community College, Dalton-Cantrell Building, Big Stone Gap, Virginia

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Mines, Minerals and Energy, Division of Mines intends to amend regulations entitled: **Rules and Regulations Governing the Use of Automated Temporary Roof Support Systems.** The regulation provides for automated temporary roof support systems for the safety of the roof bolters.

STATEMENT

Basis: The regulation has been in effect since April 1, 1983. The regulation was adopted as mandated by the General Assembly in § 45.1-41 (c1) of the Code of Virginia. The regulation was adopted pursuant to the provisions of § 45.1-104 (b1) of the Code of Virginia.

Purpose: The purpose of the regulation is to provide for the protection of "Roof Bolters" who go into the mine, beyond the area where roof support systems are in place, for the purpose of bolting unsupported mine roof.

Issues: The regulation is being reviewed as part of the Governor's Regulatory Review Process. The regulation is being reviewed for need, clarity, simplicity, effectiveness and conflict with other regulations.

Substance: The regulation was reviewed by the Division of Mines and selected persons in the mining industry were asked for comments through our public participation procedure. A public hearing was also held as part of the public participation procedure. There were no problems identified in the review and there were no changes other than those required by the Virginia Register Form, Style and Procedure Manual.

Statutory Authority: §§ 45.1-41 (c1) and 45.1-104 (b1) of the Code of Virginia.

Written comments may be submitted until September 12, 1985.

Contact: Harry D. Childress, Chief, Division of Mines, 219 Wood Ave., Big Stone Gap, Va. 24219, telephone (703) 523-0335/3401

† **September 12, 1985 - 9:30 a.m.** – Public Hearing
Mountain Empire Community College, Dalton-Cantrell Building, Big Stone Gap, Virginia

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Mines, Minerals and Energy, Division of Mines intends to amend regulations entitled: **Rules and Regulations Governing Disruption of Communication in Mines.** The regulation establishes responsibility for periodic checks to determine if the communication system is operational and address steps to be taken during a disruption.

STATEMENT

Basis: The regulation has been in effect since May 1, 1980. The General Assembly recommended that the Chief adopt a regulation regarding § 45.1-81(a) concerning communication facilities for underground coal mines. The regulation was adopted pursuant to § 45.1-104 (b1) of the Code of Virginia.

Purpose: The purpose of the regulation is to establish responsibility for periodic checks to determine that the required two-way communications system in underground coal mines is operational and set procedures to address situations when a disruption occurs in the system.

Issue: The regulation is being reviewed as part of the Governor's Regulatory Review Process. The regulation is being reviewed for need, clarity, simplicity, effectiveness and conflict with other regulations.

Substance: The regulation was reviewed by the Division of Mines and selected persons in the mining industry were asked for comments through our public participation procedure. A public hearing was also held as part of the public participation procedure. Based on review and analysis, it was determined that the regulation is effective as written. Suggestions for changes were not strong enough to justify modification of any of the regulation.

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Statutory Authority: § 45.1-104 (b1) of the Code of Virginia.

Written comments may be submitted until September 12, 1985.

Contact: Harry D. Childress, Chief, Division of Mines, 219 Wood Ave., Big Stone Gap, Va. 24219, telephone (703) 523-0335/3401

† September 12, 1985 - 9:30 a.m. – Public Hearing
Mountain Empire Community College, Dalton-Cantrell Building, Big Stone Gap, Virginia

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Mines, Minerals and Energy, Division of Mines intends to amend regulations entitled: Rules and Regulations Governing Advanced First-Aid. The regulation sets specifications for training individuals to perform first-aid when an emergency medical technician is not available.

STATEMENT

Basis: The regulation has been in effect since March 15, 1980. The regulation was adopted as required by § 45.1-101.2 of the Code of Virginia.

Purpose: The regulation establishes specifications for mine first-aid and refresher training programs designed to train individuals to administer advanced first-aid when an Emergency Medical Technician is not available.

Issue: The regulation is being reviewed as part of the Governor's Regulatory Review Process. The regulation is being reviewed for need, clarity, simplicity, effectiveness and conflict with other regulations.

Substance: The regulation was reviewed by the Division of Mines and selected persons in the mining industry were asked for comments through our public participation procedure. A public hearing was also held as part of the public participation procedure. There were no problems identified with the regulation in regard to need, clarity, simplicity, or conflict with other regulations. Comments did indicate that the 50% personnel requirement was excessive and thus rendered the regulation ineffective. The regulation was changed to make compliance less burdensome.

Statutory Authority: § 45.1-101.2 of the Code of Virginia.

Written comments may be submitted until September 12, 1985.

Contact: Harry D. Childress, Chief, Division of Mines, 219 Wood Ave., Big Stone Gap, Va. 24219, telephone (703) 523-0335/3401

† September 12, 1985 - 9:30 a.m. – Public Hearing
Mountain Empire Community College, Dalton Cantrell Building, Big Stone Gap, Virginia

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Mines, Minerals and Energy, Division of Mines intends to amend regulations entitled: Rules and Regulations Governing Vertical Mine Ventilation Holes. The regulation provides for safety in the drilling and use of vertical ventilation holes used to remove methane gas from lower measure coal seams.

STATEMENT

Basis: The regulation has been in effect since October 15, 1975. The regulation was adopted in accordance with § 45.1-104 (b1).

Purpose: The purpose of the regulation is to provide safety in the drilling and use of vertical ventilation holes designed to remove methane gas from lower measure coal seams that would otherwise be in the mine ventilation system. The regulation provides a better margin of safety for the worker engaged in mining these seams and in addition they provide a safeguard to protect workers in seams of coal being mined above to avoid any accidental penetration of the ventilation holes.

Issues: The regulation is being reviewed as part of the Governor's Regulatory Review Process. The regulation is being reviewed for need, clarity, simplicity, effectiveness and conflict with other regulations.

Substance: The regulation was reviewed by the Division of Mines and selected persons from the mining industry were asked for comments through our public participation procedure. A public hearing was also held as part of the public participation procedure. Through all the review and the comment period there were no real problems identified with the regulation. The only change was that reference to "Pocohontas No. 3 Seam" be changed to include all coal seams from which methane is to be drained.

Statutory Authority: § 45.1-104 (b1) of the Code of Virginia.

Written comments may submitted until September 12, 1985.

Contact: Harry D. Childress, Chief, Division of Mines, 219 Wood Ave., Big Stone Gap, Va. 24219, telephone (703) 523-0335/3401

† September 12, 1985 - 9:30 a.m. – Public Hearing
Mountain Empire Community College, Dalton-Cantrell Building, Big Stone Gap, Virginia

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Mines, Minerals and Energy, Division of Mines intends to amend regulations entitled: Rules and Regulations Governing Blasting in Surface Mining Operations. The regulation regulates the storage, handling and use of explosives to provide for the health and safety of employees and the public to the extent they are affected by blasting.

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STATEMENT

Basis: The regulation has been in effect since September 15, 1975. The regulation was adopted pursuant to § 45.1-104 (b1) of the Code of Virginia.

Purpose: The purpose of the regulation is to regulate the storage, handling and use of explosives at surface mining operations to provide for the safety and health of employees and to the public to the extent they would be affected by blasting.

Issue: The regulation is being reviewed as part of the Governor's Regulatory Review Process. The regulation is being reviewed for need, clarity, simplicity, effectiveness and conflict with other regulations

Substance: The regulation is being reviewed by the Division of Mines and selected persons in the mining industry were asked for comments through our public participation procedure. A public hearing was also held as part of the public participation procedure. The result of the review procedure indicated that the regulation is needed. Due to advancement in technology in the blasting area, some of the existing standards relating to airblast and vibration need to be modified. Other entities, both state and federal have already modified their regulation based on the U. S. Bureau of Mines' latest recommendations. To come abreast of technology and to be consistent with other regulations, changes in the airblast and vibration standards were made.

Statutory Authority: § 45.1-104 (b1) of the Code of Virginia.

Written comments may be submitted until September 12, 1985.

Contact: Harry D. Childress, Chief, Division of Mines, 219 Wood Ave., Big Stone Gap, Va. 24219, telephone (703) 523-0335/3401

† **September 12, 1985 - 9:30 a.m.** – Public Hearing
Mountain Empire Community College, Dalton Cantrell Building, Big Stone Gap, Virginia

*Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Mines, Minerals and Energy, Division of Mines intends to amend regulations entitled: **Rules and Regulations Governing Installation and Use of Cabs and Canopies.** The regulation addresses the safety criteria where cabs and canopies are used for protection of workers from roof falls and overhead obstructions.*

STATEMENT

Basis: The regulation has been in effect since February 15, 1977. The regulation was adopted pursuant to the provisions of § 45.1-104 (b1) of the Code of Virginia.

Purpose: The purpose of the regulation is to provide for the safety of equipment operators in coal mines from roof

falls and from overhead obstructions.

Issue: The regulation is being reviewed as part of the Governor's Regulatory Review Process. The regulation is being reviewed for need, clarity, simplicity, effectiveness and conflict with other regulations.

Substance: The regulation was reviewed by the Division of Mines and selected persons in the mining industry were asked for comments through our public participation procedure. A public hearing was also held as part of the public participation procedure. An inconsistency with federal regulations was noted in the requirement in § II for testing for side load capacity. This requirement was deleted. The six inch clearance requirement in § IV was considered to be impractical. This requirement was also deleted. The 12 inches of clearance that the inspector may require in § IV was found to be redundant and was deleted. Section VI was deleted due to concerns over the design of cabs and canopies in regard to physical size of persons.

Statutory Authority: § 45.1-104 (b1) of the Code of Virginia.

Written comments may be submitted until September 12, 1985.

Contact: Harry D. Childress, Chief, Division of Mines, 219 Wood Ave., Big Stone Gap, Va. 24219, telephone (703) 523-0335/3401

VIRGINIA STATE BOARD OF NURSING

† **July 29, 1985 - 9 a.m.** – Open Meeting
† **July 30, 1985 - 9 a.m.** – Open Meeting
Walnut Hill Center, 7423 Camp Alger Avenue, Falls Church, Virginia. (Location accessible to handicapped.)

A regular meeting of the Virginia State Board of Nursing to: (i) consider matters related to Nursing Education programs, (ii) discipline of licensees, (iii) licensing by examination and endorsement, and (iv) other matters under jurisdiction of the Board.

Contact: Corinne F. Dorsey, Executive Director, 517 W. Grace St., P. O. Box 27708, Richmond, Va. 23261, telephone (804) 786-0377

STATE BOARD OF OPTOMETRY

July 31, 1985 - 9 a.m. – Open Meeting
Holiday Inn (Downtown), 301 West Franklin Street, Board Room, 3rd Floor, Richmond, Virginia. (Location accessible to handicapped.)

A general business meeting and a review of the State Board Examination.

Contact: Lawrence H. Redford, Executive Director, Virginia Board of Optometry, P. O. Box 27708,

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Richmond, Va. 23261, telephone (804) 786-0131

Contract: Donna T. Douglas, 8007 Discovery Dr.,
Richmond, Va., telephone (804) 281-9029

State Board Examination and Diagnostic Pharmaceutical Agent Examination

August 1, 1985 - 8 a.m. - Open Meeting
Medical College of Virginia, 1101 East Marshall Street,
Sanger Hall, Rooms 1-044, 1-067, 1-069, and B1-064,
Richmond, Virginia

Optometry State Board Examination & Diagnostic
Pharmaceutical Agents Examination.

Contact: Lawrence H. Redford, Executive Director, Board
of Optometry, P. O. Box 27708, Richmond, Va. 23261,
telephone (804) 786-0131

ADVISORY COMMITTEE ON PHYSICAL THERAPY

July 19, 1985 - 1:30 p.m. - Open Meeting
Cavalier on the Hill, 42nd Street, Virginia Beach, Virginia.
(Location accessible to handicapped.)

The Advisory Committee will meet to conduct general
committee business and respond to correspondence.

Contact: Eugenia K. Dorson, Executive Secretary, 517 W.
Grace St., P. O. Box 27708, Richmond, Va. 23261,
telephone (804) 786-0575

BOARD OF PROFESSIONAL COUNSELORS

† **July 18, 1985 - 9 a.m. - Open Meeting**
† **July 19, 1985 - 9 a.m. - Open Meeting**
Department of Health Regulatory Boards, 517 West Grace
Street, Richmond, Virginia. (Location accessible to
handicapped.)

A meeting to (i) conduct general Board business, (ii)
review applications for licensure, (iii) supervision and
trainee status, (iv) make policies, and to (v) respond
to Board Correspondence.

Contact: John W. Braymer, Ph.D., 517 W. Grace St.,
Richmond, Va., telephone (804) 786-7702

VIRGINIA REFUGEE RESETTLEMENT ADVISORY COUNCIL

July 11, 1985 - 10 a.m. - Open Meeting
Saint Mary's Catholic Church, Fredericksburg, Virginia.
(Location accessible to handicapped.)

A regular meeting of the State Refugee Advisory
Council. The general order of business will be to
review the by-laws and presentations by State Refugee
service providers.

VIRGINIA SAFETY AND HEALTH CODES BOARD

† **August 2, 1985 - Immediately following a public
hearing scheduled for 10 a.m. - Open Meeting**
State Capitol, Capitol Square, House Room 4, Richmond,
Virginia. (Location accessible to handicapped.)

An open meeting will be held following the August 2,
1985, public hearing, which is scheduled for 10 a.m.
on this date, for the Safety and Health Codes Board to
consider the adoption of a Standard entitled,
"Occupational Exposure to Ethylene Oxide", and one
entitled, "Marine Terminals". A report from the
Department of Labor and Industry will be given at
this meeting on a proposed Confined Space Standard.

Contact: Margaret T. Gravett, Staff Specialist, Department
of Labor and Industry, P. O. Box 12064, Richmond,
Va. 23241, telephone (804) 786-9877

STATE SEWAGE HANDLING AND DISPOSAL APPEALS REVIEW BOARD

July 17, 1985 - 10 a.m. - Open Meeting
August 14, 1985 - 10 a.m. - Open Meeting
General Assembly Building, Capitol Square, Senate Room
A, Richmond, Virginia. (Location accessible to
handicapped.)

The Board will meet to hear and render a decision on
all appeals of denials of On-Site Sewage Disposal
System Permits.

† **September 11, 1985 - 10 a.m. - Open Meeting**
General Assembly Building, Capitol Square, Senate Room
A, Richmond, Virginia. (Location accessible to
handicapped.)

The Board will meet to hear and render a decision on
all appeals of denials of On-Site Sewage Disposal
System Permits.

Contact: P. M. Brooks, 502 Madison Bldg., Richmond, Va.
23219, telephone (804) 786-1931

VIRGINIA SMALL BUSINESS FINANCING AUTHORITY

† **July 16, 1985 - 9 a.m. - Open Meeting**
State Capitol, Capitol Square, House Room 1, Richmond,
Virginia. (Location accessible to handicapped.)

The Authority will conduct a public hearing to
consider Industrial Development Bond applications
received by the Authority. Public notices have

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appeared in the appropriate newspapers of general circulation. Prior to the public hearing, which starts at 10 a.m., the Authority will conduct its regular business meeting.

Contact: Nic Walker, Executive Director, Virginia Small Business Financing Authority, 1000 Washington Bldg., Richmond, Va. 23219, telephone (804) 786-3791

STATE BOARD OF SOCIAL SERVICES

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Social Services intends to amend regulations entitled: **Lump Sum Income in the Aid to Dependent Children (ADC) Program.** The proposed regulations allow local departments of social services to shorten the period of ineligibility caused by receipt of lump sum income under certain conditions. This provision is an option provided states in the federal Deficit Reduction Act of 1984 (§ 2632).

STATEMENT

Subject: The proposed amendment to the Lump Sum Ineligibility Period in the Aid to Dependent Children (ADC) Program is being proposed for a 60-day comment period.

Substance: The State Board of Social Services proposes to allow local departments of social services to recalculate the period of ineligibility caused by receipt of a lump sum payment when (i) the standard of need increases and the amount the family would have received also changes, (ii) the lump sum or portion thereof becomes unavailable to the family for a reason beyond their control, or (iii) the family incurs medical expenses during the period of ineligibility and uses the lump sum moneys to cover the cost of medical expenses received.

For purposes of item (ii), "reasons beyond the control of the family" include a family member absconding with the lump sum moneys, the theft of such moneys, repayment of debts, or any other condition which, in the best judgement of the local agency, is deemed to meet this criterion for shortening the period of ineligibility. Under current regulations, the period of ineligibility may only be shortened in connection with a life threatening circumstance, incurred by the assistance unit.

Issues: As set forth in the federal Deficit Reduction Act of 1984 (P.L. 98-369), states may opt to shorten the lump sum ineligibility period under any, or all, of the above-mentioned conditions. Having carefully reviewed the impact of these conditions, the State Board has endorsed an amendment which will allow the period of ineligibility to be recalculated in all three of the above-mentioned situations.

Pursuant to P.L. 98-369, states which opt to implement

conditions (ii) and (iii) set forth above must define the unavailability due to circumstances beyond control of the family, and which medical expenses incurred and paid by the family will be allowed when recalculating the period of ineligibility.

Due to the fact that local agencies are best suited to evaluate situations which may be beyond the family's control, the Board has determined that final authority for such decisions will rest with the superintendent/director of each locality. Further, the Department has developed a list of medical services which will be allowed when recalculating the period of ineligibility, if the cost of such services are paid from the proceeds of a lump sum payment.

Basis: The proposed amendment is an option made available to states in the federal Deficit Reduction Act of 1984 (P.L. 98-369). Section 63.1-25 of the Code of Virginia delegates authority to the State Board of Social Services to promulgate rules and regulations necessary for operation of public assistance programs in Virginia.

Purpose: The purpose of the proposed regulation is to allow for a reduction in the number of months a family is determined to be ineligible for assistance due to receipt of a lump sum payment. The proposed amendment will not penalize those recipients of lump sum payments in situations where the proceeds of such payments are depleted through no fault of their own.

Statutory Authority: § 63.1-25 of the Code of Virginia.

Written comment may be submitted until August 9, 1985, to I. Guy Lusk, Director, Division of Benefit Programs, Department of Social Services.

Contact: Carolyn Ellis, Supervisor, Economic Assistance Unit, Department of Social Services, 8007 Discovery Dr., Richmond, Va. 23229-8699, telephone (804) 281-9046

DEPARTMENT OF SOCIAL SERVICES

Division of Benefit Programs

- † August 20, 1985 - 2 p.m. - Public Hearing
- † August 20, 1985 - 7 p.m. - Public Hearing
Wytheville Community College, Bland Hall, Room 104, Wytheville, Virginia
- † August 22, 1985 - 2 p.m. - Public Hearing
- † August 22, 1985 - 7 p.m. - Public Hearing
James Madison University, Duke Fine Arts Center, Lattimer-Shaeffer Theater, Main and Grace Streets, Harrisonburg, Virginia
- † August 29, 1985 - 2 p.m. - Public Hearing
- † August 29, 1985 - 7 p.m. - Public Hearing
George Mason University, Rivanna Lane, Ballroom Student Union 2, Fairfax, Virginia

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† September 4, 1985 - 2 p.m. – Public Hearing
† September 4, 1985 - 7 p.m. – Public Hearing
City Hall Building, 810 Union Street, Council Chambers,
11th Floor, Norfolk, Virginia
† September 11, 1985 - 2 p.m. – Public Hearing
† September 11, 1985 - 7 p.m. – Public Hearing
State Capitol, Capitol Square, Senate Room B, Richmond,
Virginia. (Location accessible to handicapped.)

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Social Services, Division of Benefit Programs intends to amend regulations entitled: **Standards of Assistance and Grouping of Localities in the Aid to Dependent Children (ADC) Program**. The proposed regulation is intended to establish (i) new Standards of Assistance (i.e. Standards of Need) to reflect current cost of living in Virginia, and (ii) a new group of localities into four payment groups, to reflect current differences in shelter cost from locality to locality across Virginia.

STATEMENT

Subject: Proposed amendments to the following regulations:

The Standard of Assistance (i.e. Standards of Need) in the Aid to Dependent Children (ADC) Program; and

The Grouping of Localities in the Aid to Dependent Children (ADC) Program.

Substance: The proposed regulations, as set forth in the accompanying Standards of Need and Locality Grouping tables, have been established to represent reasonable approximations of the current cost of living in Virginia in housing defined as "safe, decent and sanitary" by the Department of Housing and Urban Development. The standards are stratified into four different cost groups to reflect variations in the amount Aid to Dependent Children (ADC) recipients must pay for shelter in the locality in which they reside.

The first step of the Aid to Dependent Children Program eligibility determination process relates directly to these Aid to Dependent Children (ADC) Standards of Need. This step consists of screening total gross family income against 185% of the state's standard of need. (It should be noted that subsequent steps in the eligibility determination screening process are performed—and the actual payment to an eligible recipient is made—with respect to the payment levels established as a ratable reduction of the Standards of Need. No change to the payment levels is being proposed here, as state appropriations from the General Assembly drive the level of Aid to Dependent Children (ADC) payments that can be met (i.e. the ratable reduction from the Standards of Need) for the program.) Other effects of this change in the Standards of Need include a change in income deemed available from a step-parent to meet maintenance needs of the family; the duration that a lump sum received by an assistance unit

can be considered available to meet the needs of the family—and thereby render the family ineligible, the test of whether there is financial deprivation (an eligibility requirement of the program); and the cash-equivalent value of food and/or clothing totally contributed to the program applicant/recipient.

Issues: Federal regulations require that a state administering the Aid to Dependent Children program "specify a statewide standard, expressed in money amounts, to be used in determining (i) the need of applicants and recipients and (ii) the amount of assistance payment." A state may have multiple payment levels where justifiable by the range in costs of living across the state, provided the provisions of uniformity and equity continue to be served.

The State Board of Social Services is charged by state law with adopting "...rules and regulations governing the amount of assistance persons shall receive....In making such rules and regulations, the Board shall give due consideration to significant differences in living costs in various counties and cities and shall establish or approve such variations in monetary assistance standards for shelter allowance on a regional or local basis, as may be appropriate in order to achieve the highest practical degree of equity in public assistance grants.... The amount of assistance which any person shall be sufficient, when added to all other income and support of the recipient (exclusive of that not to be taken into account), to provide such person with a reasonable subsistence."

Basis: The proposed Standards of Need and Locality Grouping have been developed pursuant to §§ 63.1-25 and 63.1-110 of the Code of Virginia, and 45 CFR 233.20 of the Code of Federal Regulations.

Purpose: The purpose of proposing new Aid to Dependent Children Standards of Need is to provide Virginia with Standards of Need that more closely approximate the current cost of living in the Commonwealth. The Standards in use now were established in 1973 (implemented in July 1974). Inflation since 1973 would appear to have severely eroded the current Standards of Need as a reflection of today's cost of living in Virginia since Standards of Need and payment levels have increased by a total of 30.9% (includes the 8% increase effective July 1, 1985). During this same period, the Consumer Price Index—All Urban Consumers (CPI) has increased by more than 110.6%.

The purpose of proposing a regrouping of localities is to recognize that the cost of living in one locality relative to the cost of living in other localities across Virginia may have changed. Therefore, by regrouping local agencies, the Commonwealth can again assure the most equitable distribution of public assistance grants.

We believe both the proposal to establish new Standards of Assistance and the proposal to regroup localities into new payment groups are consistent with the aforesaid provisions and intent of federal regulations and state law.

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Statutory Authority: § 63.1-25 of the Code of Virginia.

Written comments may be submitted until September 5, 1985, to I. Guy Lusk, Director, Division of Benefit Programs, Department of Social Services, 8007 Discovery Drive, Richmond, Virginia 23288.

Contact: Howard W. Reisinger, Jr., Chief, Research and Special Projects, Division of Benefit Programs, Department of Social Services, 8007 Discovery Dr., Richmond, Va. 23288, telephone (804) 281-9050 (toll-free number 1-800-552-7091)

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Social Services, Division of Benefit Programs intends to amend regulations entitled: **Earned Income Disregards in the Aid to Dependent Children (ADC) Program/Student Earnings. (VR 615-01-1)** The proposed regulation is intended to disregard the earned income of a full-time student for a period of six months in the first two steps of the eligibility determination process for assistance in the Aid to Dependent Children (ADC) Program.

STATEMENT

Subject: Proposed amendment to the following regulation:

Earned Income Disregards/Student Income in the Aid to Dependent Children (ADC) Program.

This amendment is being proposed for a 60-day comment period.

Substance: The proposed regulation as set forth will require the earned income of a dependent child who is a full-time student to be disregarded for a period of six months per calendar year in the first two steps of the eligibility determination process for assistance in the Aid to Dependent Children Program. The first step of eligibility determination process consists of screening total gross family income against 185% of the state's standard of need. In the second step, gross income of the family unit, minus the appropriate income disregards, is screened against 90% of the state's standard of need.

Issues: 1. Duration of Disregard -

Federal regulations specify that the earned income of a dependent child who is a full-time student may be disregarded for a period not to exceed six months per calendar year. The proposed regulation disregards such student income for the entire six-month period.

2. Amount to be Disregarded -

Federal regulations specify that all or part of such student income may be disregarded in the first two

steps of the eligibility determination process. The proposed regulation disregards all earnings of a full-time student.

Basis: The proposed regulation has been developed pursuant to the provisions of § 63.1-25 of the Code of Virginia and § 2642 of the Federal Deficit Reduction Act of 1984 (P.L. 98-369).

Purpose: The purpose of the proposed regulation is to ensure equity and consistency with regard to application of student income in the determination of a family's eligibility for assistance in the Aid to Dependent Children Program. Currently, earnings derived by a youth through participation in the Job Training Partnership Act of 1982 (P.L. 97-377) are disregarded for a period of six months per calendar year in the determination of eligibility for assistance in the Aid to Dependent Children Program. The proposed regulation will extend the same disregard to non-Job Training Partnership Act related employment.

Statutory Authority: § 63.1-25 of the Code of Virginia.

Written comments may be submitted until July 26, 1985 to I. Guy Lusk, Director, Division of Benefit Programs, Department of Social Services.

Contact: Carolyn C. Ellis, Supervisor, Economic Assistance Unit, Division of Benefit Programs, Department of Social Services, 8007 Discovery Dr., Richmond, Va. 23229-8699, telephone (804) 281-9046

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Social Services, Division of Benefit Programs intends to amend regulations entitled: **Maximum Resource Limit in the Aid to Dependent Children (ADC) and General Relief (GR) Programs. (VR 615.01.3)** The State Board of Social Services intends to increase the maximum resource limit for resources which can be retained by an applicant/recipient of assistance in the Aid to Dependent Children (ADC) and General Relief (GR) Programs from \$600 to \$1,000.

STATEMENT

Subject: Proposed amendment to the following regulation:

Maximum Resource Limit in the Aid to Dependent Children (ADC) and General Relief (GR) Programs.

This amendment is being proposed for a 60-day comment period.

Substance: Federal regulations limit eligibility for assistance in the Aid to Dependent Children (ADC) Program to those families with available resources, not specifically excluded, which do not exceed \$1,000, or such lower limit established at the discretion of each state. In

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Virginia, the State Board of Social Services has set the maximum limit for resources which may be retained by an applicant/recipient of Aid to Dependent Children (ADC) at \$600. Additionally, the Board has also adopted this amount as the maximum which may be retained by an applicant/recipient of General Relief (GR).

As set forth herein, the Board is proposing to increase the maximum resource limit in both the Aid to Dependent Children (ADC) and General Relief (GR) Programs from \$600 to \$1,000.

Issues: Resource limits in the Aid to Dependent Children (ADC) and General Relief (GR) Programs have not been increased since January 1, 1978. It is, therefore, felt that an increase in the resource limit will allow applicants/recipients to retain an amount which more accurately reflects the current cost of living.

Basis: Chapter 1, Title 63.1-25 of the Code of Virginia delegates authority to the State Board of Social Services to promulgate rules and regulations necessary for operation of public assistance programs in Virginia. Title IV-A, § 402(a)(7) of the Social Security Act has established the maximum resource limit for applicants/recipients in the Aid to Dependent Children (ADC) Program at \$1,000, or such lower limit established by each state.

Purpose: To establish a more reasonable limit on the maximum value of resources which may be retained by an applicant/recipient of assistance in the Aid to Dependent Children (ADC) and General Relief (GR) Programs.

Statutory Authority: § 63.1-25 of the Code of Virginia.

Written comments may be submitted until August 23, 1985, to I. Guy Lusk, Director, Division of Benefit Programs, Department of Social Services, 8007 Discovery Drive, Richmond, Virginia 23229-8699.

Contact: Carolyn C. Ellis, Supervisor, Economic Assistance Unit, Division of Benefit Programs, Department of Social Services, 8007 Discovery Dr., Richmond, Va. 23229-8699, telephone (804) 281-9046

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Social Services, Division of Benefit Programs intends to amend regulations entitled: **Safeguarding Information in the Aid to Dependent Children (ADC) Program/Disclosure of Information to Law-Enforcement Officers.** (VR 615.01.4) The proposed regulation is intended to allow local agencies to disclose to state or local law-enforcement officers the address of a recipient if: (i) such recipient is a fugitive felon; (ii) location/apprehension of the felon is within the officer's official duties; and (iii) the request is made in the proper exercise of those duties.

STATEMENT

Subject: Proposed amendment to the following regulation:

Disclosure of Information to Law-Enforcement Officers in the Aid to Dependent Children (ADC) Program. (VR 615-01.4).

This amendment is being proposed for a 60-day comment period.

Substance: The proposed regulation will allow local departments of social services to disclose the address of a current recipient of Aid to Dependent Children to a state or local law-enforcement officer if the recipient is a fugitive felon. The officer must provide the recipient's name, social security number, and demonstrate that the location or apprehension of such felon is within the officer's official duties.

Issues: 1) Federal regulations allow states to define a fugitive felon utilizing a state law, federal law or combination thereof. In conjunction with the Attorney General's office, the Department has determined the most appropriate definition of a fugitive felon is as follows:

Any person charged with a crime punishable by death, or which is a felony under the law in the place from which the person flees, or which, in the case of New Jersey, is a high misdemeanor under the law of said state who flees to avoid prosecution, or custody or confinement after conviction.

2) To ensure the request for the recipient's address is within the officer's official duties, the Department has mandated that in addition to the recipient's name and social security number, the officer must provide evidence of an outstanding warrant for the fugitive felon's arrest.

3) The federal Deficit Reduction Act of 1984 (P.L. 98-369) allows states to disclose the address of a recipient who is a fugitive felon to a state or local law-enforcement officer regardless of whether the state has enacted legislation allowing public access to federal welfare records.

4) The federal law does not specify if disclosure of a recipient's current address is limited to state or local law-enforcement officers in the state from which the recipient is currently receiving assistance or is applicable to state or local law-enforcement officers from other states. The Attorney General's office has advised that disclosure of information need not be limited to state and local law-enforcement officers of the Commonwealth.

Basis: The proposed regulation has been developed pursuant to Chapter 1, Title 63.1-25 of the Code of Virginia and § 2636 of the federal Deficit Reduction Act of 1984 (P.L. 98-369).

Purpose: Prior to enactment of P.L. 98-369, states were prohibited from disclosing information regarding recipients

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to law-enforcement officers, except for public assistance related crimes, thereby, protecting such recipients who are fugitive felons from prosecution or confinement for crimes with which they have been charged or which they have committed. With passage of the Deficit Reduction Act, however, states may assist law-enforcement agencies in locating fugitive felons who are receiving Aid to Dependent Children.

As set forth in § 63.1-25 of the Code of Virginia, the State Board of Social Services has been delegated the authority to promulgate rules and regulations necessary to operate public assistance programs in Virginia. At the direction of the Board, the proposed amendment to the Aid to Dependent Children (ADC) Program has been approved for a 60-day public comment period.

It is the intent of the Board to allow local departments of social services to disclose the address of a current recipient of Aid to Dependent Children to a state or local law-enforcement officer if the recipient is a fugitive felon. Under current regulations, a recipient must be advised of each such request for information and must provide written authorization before the requested information may be released.

As set forth in the federal Deficit Reduction Act of 1984 (P.L. 98-369), states need not enact legislation relaxing privacy laws in order to adopt the regulation as described herein.

Statutory Authority: § 63.1-25 of the Code of Virginia.

Written comments may be submitted until August 23, 1985, to I. Guy Lusk, Director, Division of Benefit Programs, Department of Social Services, 8007 Discovery Drive, Richmond, Virginia 23229-8699.

Contact: Carolyn C. Ellis, Supervisor, Economic Assistance Unit, Division of Benefit Programs, Department of Social Services, 8007 Discovery Dr., Richmond, Va. 23229-8699, telephone (804) 281-9046

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Social Services, Division of Benefit Programs intends to amend regulations entitled: **Collection of Overpayments in the Aid to Dependent Children (ADC) and Refugee Other Assistance Programs. (VR 615.01.5)** Allow waiver of overpayments to former recipients which are less than \$35 and overpayments are greater than \$35 if, after reasonable efforts to collect the overpayment, further efforts would not be cost effective. This provision does not apply to overpayments which are the result of fraud.

STATEMENT

Subject: Proposed amendment to the following regulation:

Collection of Overpayments in the Aid to Dependent Children (ADC) and Refugee Other Assistance Programs.

This amendment is being proposed for a 60-day comment period.

Substance: Current regulations in the Aid to Dependent Children (ADC) and Refugee Other Assistance Programs require states recover all overpayments of assistance which are the result of both agency and client error. The federal Deficit Reduction Act of 1984 (P.L. 98-369), however, allows states to waive recovery of outstanding overpayments to former Aid to Dependent Children (ADC) and Refugee Other Assistance recipients in situations where the total overpayments are less than \$35. Additionally, states may opt to waive recovery of overpayments to former recipients which are \$35, or more if, after reasonable efforts to collect the overpayments, it is determined that further efforts to collect the overpayment would not be cost-effective. The option to waive such overpayments is not applicable in situations involving fraud.

Issues: Federal regulations require that prior to determining if further efforts to collect an overpayment which is \$35, or more, would not be cost-effective, the agency must ensure "reasonable efforts" have been made to collect the overpayment from the former recipient. At minimum, the regulations require the agency to attempt to contact the former recipient to notify him of the amount of the overpayment, the reason the overpayment occurred, and that repayment is required. The Department has expanded this requirement to ensure clarity and consistency. In situations where the former recipient cannot be located; or he refuses, in writing, to repay the overpayment; or he has no means by which to repay the overpayment, the local agency must conduct an evaluation to determine if further action to collect the overpayment will be cost-effective.

Federal regulations are also unclear with regard to whether states may allow localities, at their discretion, to pursue collection of overpayments which are less than \$35. To ensure uniform procedures regarding overpayments are applied throughout the Commonwealth, the proposed regulation, as set forth herein, will mandate local agencies to forego collection of all overpayments less than \$35.

Basis: Section 63.1-25 of the Code of Virginia and § 2633 of P.L. 98-369 (the Deficit Reduction Act of 1984) established the basis for states to adopt the regulation as set forth herein.

Purpose: The intent of the proposed regulation is to reduce administrative costs incurred by the local social services agencies through collection of overpayments which are not deemed to be cost-effective. Additionally, adoption of this regulation will increase consistency between the Aid to Dependent Children (ADC), Refugee Other Assistance, and Food Stamp Programs with regard to

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collection of overpayments. Under current Food Stamp Program regulations, local agencies may forego collection of Food Stamp overissuances which are less than \$35 from former program participants.

Statutory Authority: § 63.1-25 of the Code of Virginia.

Written comments may be submitted until August 23, 1985 to I. Guy Lusk, Director, Division of Benefit Programs, Department of Social Services, 8007 Discovery Drive, Richmond, Virginia 23229-8699.

Contact: Carolyn C. Ellis, Supervisor, Economic Assistance Unit, Division of Benefit Programs, Department of Social Services, 8007 Discovery Dr., Richmond, Va. 23229-8699, telephone (804) 281-9046

† Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Social Services intends to amend regulations entitled: **Protective Payments in the Aid to Dependent Children (ADC) and Refugee Other Assistance Programs. (VR 615.01.6)** These regulations will allow local departments of social services to continue making assistance payments payable to a sanctioned caretaker relative for remaining eligible members of the assistance unit if, after all reasonable efforts, the local agency cannot locate an appropriate protective payee.

STATEMENT

Subject: Proposed amendment to the following regulation:

Protective Payments in the Aid to Dependent Children (ADC) and Refugee Other Assistance Programs (VR 615.01.6).

This amendment is being proposed for a 60-day comment period.

Substance: Under current regulations, there is no provision for continuing Aid to Dependent Children and Refugee Other Assistance payments to a caretaker relative who is sanctioned for failure to participate in the Employment Services Program, as well as for failure to assign rights to child/spousal support or cooperate in establishing paternity and securing such support. The caretaker relative who fails to fulfill these requirements not only has his/her needs removed from the grant, but is also replaced as the payee by a protective payee appointed by the local agency.

It is the intent of the State Board of Social Services to allow local agencies to continue Aid to Dependent Children and Refugee Other Assistance payments to the sanctioned caretaker relative for the remaining members of the assistance unit if, after making all reasonable efforts, the local agency is unable to locate an appropriate individual

to whom protective payments can be made.

Issues: As set forth in the federal Deficit Reduction Act of 1984 (Public Law 98-369), states may opt to continue Aid to Dependent Children and Refugee Other Assistance payments to sanctioned caretaker relatives when they fail to meet the above-mentioned program requirements. Having carefully reviewed the impact of the above, the State Board has endorsed an amendment, as proposed herein, which will allow the continuation of assistance payments payable to the sanctioned caretaker relative for the remaining members of the assistance unit.

Pursuant to P.L. 98-369, states which opt to implement exceptions to requirements for protective payments will continue issuing payments to sanctioned caretaker relative only after making all reasonable efforts to locate an appropriate protective payee.

Due to the fact that local agencies are best suited to evaluate what constitutes "reasonable efforts," the Board has determined that final authority for such decisions will rest with the Superintendent/Director of each locality. Such responsibility may be delegated by the Superintendent/Director to the most suitable party.

Basis: The proposed amendment is an option made available to state in § 2634 of the federal Deficit Reduction Act of 1984 (P.L. 98-369). Section 63.1-25 of the Code of Virginia, delegates authority to the State Board of Social Services to promulgate rules and regulations necessary for operation of public assistance programs in Virginia.

Purpose: The purpose of the proposed regulation is to allow for the continuation of assistance on behalf of eligible assistance unit members to the caretaker relative in situations where the caretaker relative has been sanctioned and a protective payee cannot be reasonable located.

Statutory Authority: § 63.1-25 of the Code of Virginia.

Written comment may be submitted until September 6, 1985, to I. Guy Lusk, Director, Division of Benefit Programs, Department of Social Services, 8007 Discovery Drive, Richmond, Virginia 23229-8699.

Contact: Carolyn Ellis, Supervisor, Economic Assistance Unit, Department of Social Services, 8007 Discovery Dr., Richmond, Va. 23229-8699, telephone (804) 281-9046 (toll-free number 1-800-552-7091)

† Division of Service Programs

*Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Virginia Department of Social Services, Division of Service Programs intends to amend regulations entitled: **Elimination of Eligibility Criteria for Direct Social Services.** The proposed regulation would allow local Social Service*

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agencies the option of eliminating financial eligibility criteria for all social services provided directly by local agency staff except for the Employment Services Program.

STATEMENT

Basis: This regulation is issued under authority granted by § 63.1-25 of the Code of Virginia.

Subject: This regulation would allow local social service agencies the option of eliminating financial eligibility criteria for all social services provided directly by local agency staff except for the Employment Services Program.

Substance: Current regulations for social services provided directly by local social service staff require financial eligibility determination for all persons needing Employment Services and certain individuals and families needing Family and Adult Services.

This regulation is offered as an option to local social service agencies. It would allow local social service agencies to either continue under current regulations or to eliminate financial eligibility determination for all social services when provided directly by agency staff except for services provided under the Employment Services Program.

Issues: This regulation should allow localities more flexibility in offering direct services to their communities. It will free up time now spent on eligibility determination for direct service delivery. In the absence of the regulation local agencies may have to deny services to some persons who truly need the service. This is particularly unfortunate in communities where the local social service agency is the only service agency. Although an increase in service applications was thought to be an issue, a preliminary study of the impact of the regulation did not indicate that this was the case.

Purpose: The purpose of this regulation is to save staff time and to enable local agencies to better provide preventative and early interventive services prior to the need for protective services or substitute care.

Summary: Current regulations for social services provided directly by local social services staff require financial eligibility determination for all persons needing Employment Services and certain individuals and families needing Family and Adult Services. The proposed regulation would allow local service agencies the option of eliminating the financial eligibility determination for all social services when provided directly by agency staff except for services provided under the Employment Services Program.

Statutory Authority: § 63.1-25 of the Code of Virginia.

Written comments may be submitted until September 6, 1985.

Contact: Elaine F. Jefferson, Generic Services Specialist, Virginia Department of Social Services, 8007 Discovery Dr., Richmond, Va. 23229-8669, telephone (804) 281-9139 (toll-free number 1-800-552-7091)

1986 Low-Income Home Energy Assistance Block Grant

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Social Services intends to amend regulations entitled: **Virginia Fuel Assistance Program**. The proposed amendments will delete the voluntary quit provision; vary benefits by fuel type; replace the Heating Equipment Repairs/Replacement component with an Energy Crisis Assistance Program; and add a ceiling to the administrative costs reimbursement.

STATEMENT

Subject: Proposed Amendments to the Virginia Fuel Assistance Program. These amendments are being proposed for a 60-day public comment period.

Substance: The amendments to the Program are as follows; (i) delete the voluntary quit provision as an eligibility criteria, (ii) vary benefits by fuel type, (iii) replace the Heating Equipment Repairs/Replacements (HER/R) component with an Energy Crisis Assistance Program (ECAP), and (iv) add a ceiling to the administrative costs reimbursement to local departments of social service.

Issues: The issues that relate to each amendment are as follows; (i) deleting the voluntary quit provision would mean that quitting a job will have no effect on an applicant's eligibility for fuel assistance or ECAP, (ii) varying benefits by fuel type will lower benefits for lower priced fuels and increase benefits for higher priced fuels, (iii) in administering ECAP, local departments of social services will have the flexibility of choosing which forms of assistance will best meet the needs of the clientele in their locality, and (iv) placing a ceiling on administrative costs reimbursement will mean that some local departments of social services will not be reimbursed for all their expenditures.

Basis: Virginia Code, § 63.1-25 provides the statutory basis for the promulgation of regulations relative to the Fuel Assistance Program.

Purpose: The purpose of each amendment is as follows; (i) the voluntary quit provision is being deleted because it is not cost effective and is not administered equitably statewide, (ii) basing benefits on fuel types more realistically ensures that the program's goal of assisting households with the least income and highest energy costs is achieved, (iii) replacing HER/R with ECAP will provide assistance to households who have energy emergencies

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that cannot be taken care of by other resources, and (iv) the addition of a ceiling in administrative cost reimbursement will ensure that the Department contains administrative expenses to the maximum federal reimbursable amount at the same time freeing up more funds for direct benefits to clients.

Statutory Authority: § 63.1-25 of the Code of Virginia.

Written comments may be submitted until June 29, 1985 to Guy Lusk, Director, Division of Benefit Programs/Department of Social Services, 8007 Discovery Drive, Richmond, Virginia 23229-8699.

Contact: Charlene H. Chapman, Supervisor, Energy and Emergency Assistance, Division of Benefit Programs/Department of Social Services, 8007 Discovery Dr., Richmond, Va. 23229-8699, telephone (804) 281-9046 (toll-free number 1-800-552-7091)

VIRGINIA SOIL AND WATER CONSERVATION COMMISSION

July 10, 1985 - 2 p.m. - Open Meeting
Marriott Inn, 900 Price's Fork Road, N.W., Blacksburg, Virginia. (Location accessible to handicapped.)

The Commission will hold its regular bi-monthly business meeting.

Contact: Donald L. Wells, 203 Governor St., Suite 206, Richmond, Va. 23219, telephone (804) 786-2064

SOLID WASTE COMMISSION

CORRECTION CHANGE IN DATE

NOTE: THIS PUBLIC HEARING WAS ORIGINALLY SCHEDULED FOR JULY 10, 1985.

July 15, 1985 - 2 p.m. - Public Hearing
General Assembly Building, Capitol Square, Senate Room B, Richmond, Virginia. (Location accessible to handicapped.)

A public hearing on the revised Draft Regional Management Plan for the Southeast Compact.

A copy of the draft plan is available for inspection in Room 824, General Assembly Building. Written comments will be received through July 26, 1985.

Contact: Cheryl Cashman, P. O. Box 3-AG, Richmond, Va. 23208, telephone (804) 786-4169

DEPARTMENT OF TAXATION

August 8, 1985 - 10 a.m. - Public Hearing

General Assembly Building, Capitol Square, House Room C, Richmond, Virginia. (Location accessible to handicapped.)

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Taxation intends to adopt regulations entitled: **Individual Income Tax: Net Operating Losses. (VR 630-2-322.1)** This regulation sets forth and explains the procedures relating to the Virginia tax treatment of federal net operating losses.

STATEMENT

Basis: This regulation is issued under authority granted by § 58.1-203 of the Code of Virginia.

Purpose: This regulation sets forth and explains the procedures relating to the Virginia tax treatment of federal net operating losses.

Issues: This is a previously unregulated area and the Virginia Code is silent on this subject. Federal law allows a deduction for net operating losses in the computation of federal adjusted gross income. Since the starting point on a Virginia individual income tax return is federal adjusted gross income, which would reflect any federal net operating loss, Virginia taxable income is indirectly affected.

Substance: This regulation specifies which Virginia modifications, and in what manner these modifications are to be considered in the recomputation of Virginia taxable income in years in which a federal net operating loss is utilized. To avoid ambiguity, the terms used in this regulation are defined and examples illustrating the computation of the Virginia modification in the loss year are provided. Furthermore, this regulation specifies the procedures for filing a Virginia refund claim in the event of a federal net operating loss. It also addresses such topics as when a claim must be filed, what supporting documents must accompany the claim, where the return must be filed, and how interest is to be computed on the overpayment resulting from the refund claim.

Statutory Authority: § 58.1-203 of the Code of Virginia.

Written comments may be submitted until August 8, 1985.
Contact: Danny M. Payne, Director, Tax Policy Division, P. O. Box 6-L, Richmond, Va. 23282, telephone (804) 257-8010

BOARD FOR THE VISUALLY HANDICAPPED

July 10, 1985 - 11 a.m. - Open Meeting
Virginia Rehabilitation Center for the Blind, 401 Azalea Avenue, Richmond, Virginia. (Location accessible to handicapped; interpreter for deaf provided if requested.)

A quarterly meeting of the Board to review policy and

procedures of the Department for the Visually Handicapped. The Board will review and approve the Department's budget, executive agreement, and operating plan.

Contact: Wanda D. Tompson, Confidential Secretary, 397 Azalea Avenue, Richmond, Va. 23227, telephone (804) 264-3145

VIRGINIA DEPARTMENT FOR THE VISUALLY HANDICAPPED

Advisory Committee on Services

† **September 14, 1985 - 10:30 a.m.** — Open Meeting
Administrative Headquarters, 397 Azalea Avenue, Richmond, Virginia. (Location accessible to handicapped; interpreter for deaf provided if requested.)

The committee meets quarterly to advise the Virginia Department for the Visually Handicapped on matters related to services for blind and visually handicapped citizens of the Commonwealth.

Contact: George A. Koger, Executive Assistant, 397 Azalea Ave., Richmond, Va. 23227, telephone (804) 264-3148

STATE WATER CONTROL BOARD

† **September 5, 1985 - 2 p.m.** — Public Hearing
Virginia War Memorial, 621 South Belvidere Street, Auditorium, Richmond, Virginia

*Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Water Control Board intends to amend regulations entitled: **Water Quality Standards, Section 2.02. Fecal Coliform Bacteria - Other Waters.** This amendment allows for a case-by-case determination of sewerage disinfection requirements.*

STATEMENT

Subject: Proposed Amendment to Virginia's Water Quality Standards.

Basis: Section 62.1-44.15(3) of the Code of Virginia authorizes the Board to establish Water Quality Standards and Policies for any state waters consistent with the purpose and general policy of the State Water Control Law, and to modify, amend, or cancel any such standards or policies established. Such standards shall be adopted only after a hearing is held and the Board takes into consideration the economic and social costs and benefits which can reasonably be expected to be obtained as a result of the standards as adopted, modified, amended, or cancelled.

Section 303 of the Federal Clean Water Act requires states to adopt water quality standards and to have them approved by the Environmental Protection Agency (EPA). Additionally, both state and federal law require triennial reviews of water quality standards, with adoption of new standards, amendments to existing standards, as appropriate. If EPA determines that Virginia's water quality standards are not appropriate, it will promulgate its own federal water quality standard for Virginia.

This standards amendment is proposed as a result of EPA review of Virginia's triennial review process.

Substance and Purpose of Proposed Amendment: The purpose of the proposed amendment is to revise § 2.02 Fecal Coliform Bacteria - Other Wastes of the Water Quality Standards to include a description of the protocol which must be followed in making a case-by-case determination of sewerage disinfection requirements, based on the actual and potential uses of the receiving waters, according to the Board's Disinfection Policy. The current version of the standard allows for the case-by-case determination, but does not contain a standard protocol for conducting a site-specific beneficial use-attainability analysis on which decisions about sewerage disinfection would be based.

Issues: The proposed amendment to the Fecal Coliform Standard For Other Waters is needed to assure that all beneficial uses of a water body are considered before a decision is made on disinfection requirements in a discharge permit. The Environmental Protection Agency (EPA) expressed concern that the current wording of the standard might in some cases result in degradation of beneficial stream uses and be in violation of the Federal Water Quality Standards Regulation. In a March 1985, letter, EPA conditioned approval of this standard upon the Commonwealth's commitment to revise the standard by January 1, 1986. If this revision is not accomplished by that date, federal award of construction grants will be halted until such time as the appropriate revisions of § 2.02 are made.

Statutory Authority: § 62.1-44.15(3) of the Code of Virginia.

Written comments may be submitted until September 16, 1985, to Ms. Donnie Dalton, State Water Control Board, P. O. Box 11143, Richmond, Virginia 23230.

Contact: Jean W. Gregory, Water Resources Ecologist, State Water Control Board, P. O. Box 11143, Richmond, Va. 23230, telephone (804) 257-6985

STATE BOARD FOR CERTIFICATION OF OPERATORS OF WATER AND WASTEWATER WORKS

July 12, 1985 - 10 a.m. — Open Meeting
Department of Commerce, Travelers Building, 3600 West Broad Street, Conference Room 1, Richmond, Virginia. (Location accessible to handicapped.)

Calendar of Events

A meeting to discuss the Board of Commerce resolution; schedule of meetings for 1986; results of May 3, 1985, examination; LGR study; discussion of Busic/Hey complaint; policy; and financial status.

Contact: Geralde W. Morgan, Assistant Director, 3600 W. Broad St., Richmond, Va. 23230-4917, telephone (804) 257-8508

LEGISLATIVE

COMMISSION ON DEINSTITUTIONALIZATION

August 1, 1985 - 10 a.m. – Open Meeting
General Assembly Building, Capitol Square, Senate Room A, Richmond, Virginia. (Location accessible to handicapped.)

JLARC will report findings of its study of deinstitutionalization policies and practices; the Virginia Association of Community Services Boards will testify on structure of mental health system.

† **August 2, 1985 - 10 a.m. – Open Meeting**
General Assembly Building, Capitol Square, Senate Room A, Richmond, Virginia. (Location accessible to handicapped.)

The Commission will begin to formulate its recommendations.

Contact: Susan C. Ward, Staff Attorney, Division of Legislative Services, P. O. Box 3-AG, Richmond, Va. 23208, telephone (804) 786-3591

CHANGES IN VIRGINIA'S ELECTION LAWS JOINT SUBCOMMITTEE

† **September 10, 1985 - 10 a.m. – Public Hearing**
General Assembly Building, Capitol Square, Senate Room A, Richmond, Virginia. (Location accessible to handicapped.)

A public hearing for suggestions on changes in Virginia's Election Laws. Deadline for written comments to be submitted to Dr. Jack Austin by August 1, 1985. (SJR 92)

Contact: Dr. Jack Austin, Research Associate, Division of Legislative Services, P. O. Box 3-AG, Richmond, Va. 23208, telephone (804) 786-3591 or Thomas G. Gilman, Senate Clerk's Office, P. O. Box 396, Richmond, Va. 23203, telephone (804) 786-5742

FEDERAL BLOCK GRANTS JOINT SUBCOMMITTEE

July 15, 1985 - 10 a.m. – Public Hearing
General Assembly Building, Capitol Square, House Room D, Richmond, Virginia. (Location accessible to handicapped.)

A public hearing on Federal Block Grants in the areas of (i) Preventive Health and Health Services; (ii) Drug Abuse and Mental Health; and (iii) Community Services.

Contact: Norma E. Szakal, Staff Attorney, Division of Legislative Services, P. O. Box 3-AG, Richmond, Va. 23208, telephone (804) 786-3591 or Jayne Thomas, Grant Director, Department of Social Services, 8007 Discovery Dr., Richmond, Va. 23288, telephone (804) 281-9217

INFANT MORTALITY IN THE COMMONWEALTH JOINT SUBCOMMITTEE

† **September 9, 1985 - 10 a.m. – Public Hearing**
City Council Chambers, 418 Patton Street, Danville, Virginia

A public hearing on causes of, and prevention of, infant mortality in the Commonwealth. (SJR 106)

Contact: Brenda Edwards, Research Associate, Division of Legislative Services, P. O. Box 3-AG, Richmond, Va. 23208, telephone (804) 786-3591 or George Diradour, Senate Clerk's Office, P. O. Box 396, Richmond, Va. 23203, telephone (804) 786-5742

JOINT LEGISLATIVE AND AUDIT REVIEW COMMISSION

† **July 8, 1985 - 9:30 a.m. – Open Meeting**
General Assembly Building, Capitol Square, House Room D, Richmond, Virginia. (Location accessible to handicapped.)

Briefing reports on Local Fiscal Stress, Virginia Housing and Development Authority.

Contact: Ray Pethel/Maryann Craven, General Assembly Bldg., Suite 1100, Richmond, Va. 23219, telephone (804) 786-1258

NEEDS OF MACHINE-DEPENDENT INDIVIDUALS JOINT SUBCOMMITTEE

† **August 15, 1985 - 10 a.m. – Open Meeting**
General Assembly Building, Capitol Square, Senate Room A, Richmond, Virginia. (Location accessible to handicapped.)

Calendar of Events

A meeting of the joint subcommittee to study Senate Joint Resolution No. 99.

Contact: Norma Szakal, Staff Attorney, Division of Legislative Services, P. O. Box 3-AG, Richmond, Va. 23208, telephone (804) 786-3591

ADVISABILITY OF ESTABLISHING A TAX AMNESTY PROGRAM JOINT SUBCOMMITTEE

† July 31, 1985 - 10 a.m. - Open Meeting
General Assembly Building, Capitol Square, House Room C, Richmond, Virginia. (Location accessible to handicapped.)

Organizational meeting studying advisability of establishing a tax amnesty program. (HJR 269)

Contact: John A. Garka, Economist, Division of Legislative Services, P. O. Box 3-AG, Richmond, Va. 23208, telephone (804) 786-3591

CHRONOLOGICAL LIST OPEN MEETINGS

July 8, 1985

Joint Legislative Audit and Review Commission

July 9

Architects, Professional Engineers, Land Surveyors, and Certified Landscape Architects, State Board of State Board of Professional Engineers
Marine Resources Commission, Virginia

July 10

Architects, Professional Engineers, Land Surveyors and Certified Landscape Architects, State Board of Contractors, State Board for Corrections, Board of Hazardous Waste Facility Siting Board
Soil and Water Conservation Commission
Visually Handicapped, Board for the

July 11

Architects, Professional Engineers, Land Surveyors and Certified Landscape Architects, State Board of Auctioneers Board, Virginia
Refugee Resettlement Advisory Council, Virginia

July 12

Water and Wastewater Works, State Board for Certification of Operators of

July 15

Funeral Director and Embalmers, Virginia Board of Governor's Job Training Coordinating Council

July 16

Alcoholic Beverage Control Commission

Environment, Council on the Funeral Directors and Embalmers, Virginia Board of Health Regulatory Boards, Commission of Housing Development Authority
Board of Commissioners

July 17

Health, State Board of Higher Education, Council of Sewage Handling and Disposal Appeals
Review Board, State

July 18

Architects, Professional Engineers, Land Surveyors, and Certified Landscape Architects, State Board of Highways and Transportation Board, Virginia Department of Medicine, Virginia State Board of Professional Counselors, Board of

July 19

Medicine, Virginia State Board of Physical Therapy, Advisory Committee on Professional Counselors, Board of

July 20

Medicine, Virginia State Board of

July 24

Contractors, State Board for Health Services Cost Review Commission, Virginia

July 25

Dentistry, Virginia Board of

July 26

Child Abuse, Governor's Advisory Committee on Dentistry, Virginia Board of Fire Commission, Virginia State Game and Inland Fisheries, Commission of

July 27

Dentistry, Virginia Board of

July 29

Nursing, Virginia State Board of

July 30

Alcohol Abuse Prevention Project
Alcoholic Beverage Control Commission
Nursing, Virginia State Board of

July 31

Alcohol Abuse Prevention Project
Optometry, Virginia Board of
Tax Amnesty Program, Advisability of Establishing Joint Subcommittee

August 1

Alcohol Abuse Prevention Project

Calendar of Events

Deinstitutionalization, Commission on
Optometry, Virginia Board of
State Board Examination & Diagnostic
Pharmaceutical Agent Examination

August 2

Deinstitutionalization, Commission on
General Services, Department of
Art and Architectural Review Board
Safety and Health Codes Board, Virginia

August 6

Mental Health and Mental Retardation, Department of
Systemwide Training Workshop

August 12

Land Evaluation Advisory Commission, State

August 13

Alcoholic Beverage Control Commission

August 14

Child Support, Governor's Commission on
Corrections, Board of
Sewage Handling and Disposal Appeals
Review Board, State

August 15

Needs of Machine-Dependent Individuals
Joint Subcommittee

August 26

Agricultural Foundation, Virginia

August 27

Alcoholic Beverage Control Commission

August 28

Health Services Cost Review Commission, Virginia

September 10

Alcoholic Beverage Control Commission

September 11

Sewage Handling and Disposal Appeals Review Board,
State

September 14

Visually Handicapped, Virginia Department for the
Advisory Committee on Services

September 24

Alcoholic Beverage Control Commission

PUBLIC HEARINGS

July 8, 1985

Marine Resources Commission

July 9

Child Support, Governor's Commission on

July 10

Architects, Professional Engineers, Land Surveyors and
Certified Landscape Architects, State Board of
Highways and Transportation, Department of
Solid Waste Commission (RESCHEDULED for
July 15, 1985)

July 11

Highways and Transportation, Virginia Department of

July 15

Aging, Virginia Department for the
Mines, Minerals and Energy, Department of
Solid Waste Commission

July 16

Aging, Virginia Department for the
Small Business Financing Authority, Virginia

July 17

Contractors, State Board for

July 18

Aging, Virginia Department for the
Child Support, Governor's Commission on

July 22

Child Support, Governor's Commission on

July 25

Fire Commission, Virginia State
Governor's Regulatory Reform Advisory Board

July 29

Governor's Employment and Training Division

July 30

Child Support, Governor's Commission on

August 2

Labor and Industry, Department of

August 6

Agriculture and Consumer Services, Department

August 7

Agriculture and Consumer Services, Department

August 8

Taxation, Department of

August 20

Social Services, Department of
Division of Benefit Programs

Calendar of Events

August 22

Social Services, Department of
Division of Benefit Programs

August 23

Health, Department of

August 29

Social Services, Department of
Division of Benefit Programs

September 4

Social Services, Department of
Division of Benefit Programs

September 5

Water Control Board, State

September 9

Infant Mortality in the Commonwealth
Joint Subcommittee

September 10

Election Laws, Changes in Virginia's
Joint Subcommittee
Governor's Regulatory Reform Advisory Board
Mental Health and Mental Retardation, Department of

September 11

Mental Health and Mental Retardation, Department of
Social Services, Department of
Division of Benefit Programs

September 12

Mental Health and Mental Retardation, Department of
Mines, Minerals and Energy, Department of
Division of Mines

September 13

Mental Health and Mental Retardation, Department of

September 16

Health, Department of
Housing and Community Development, Board of

