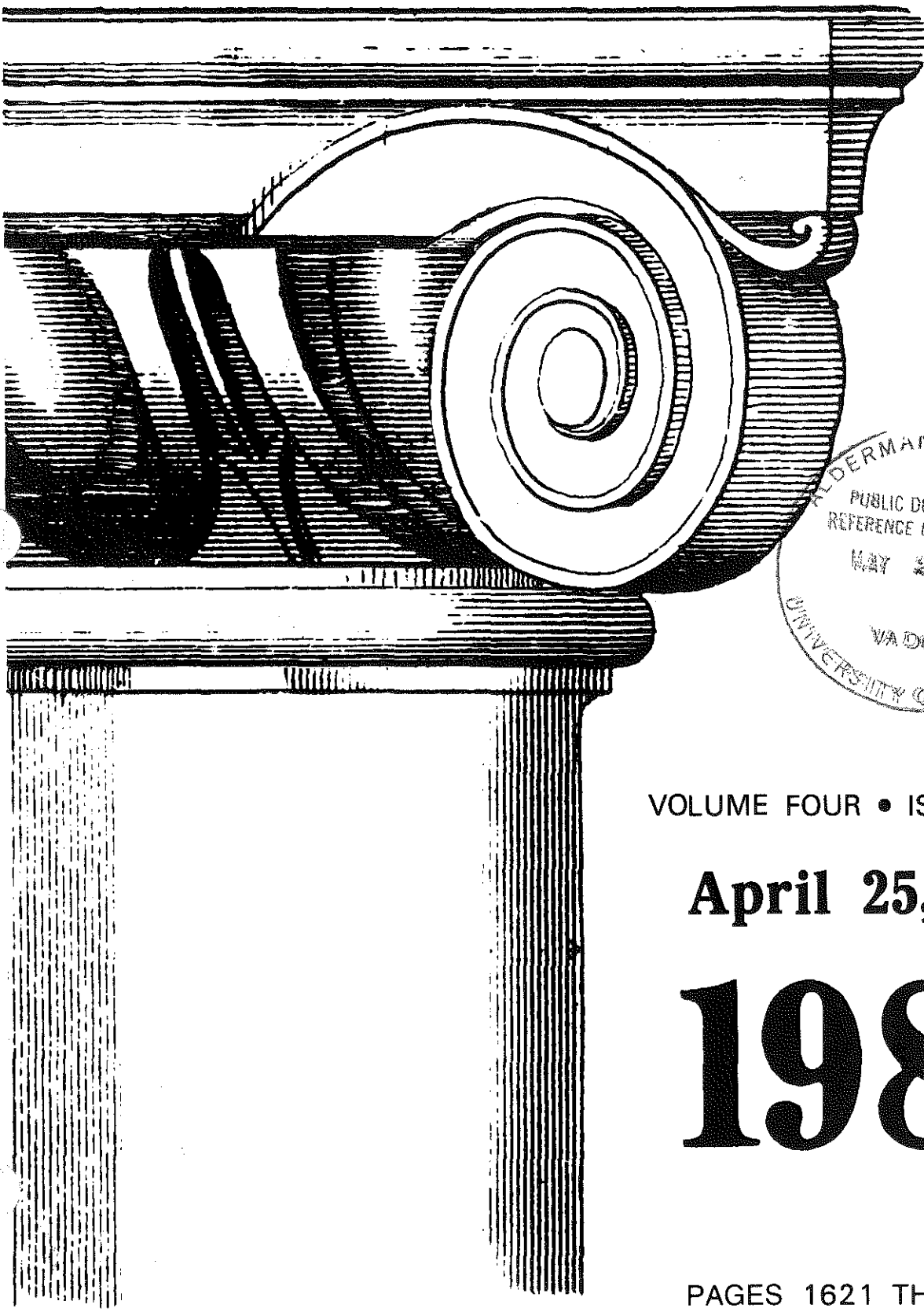
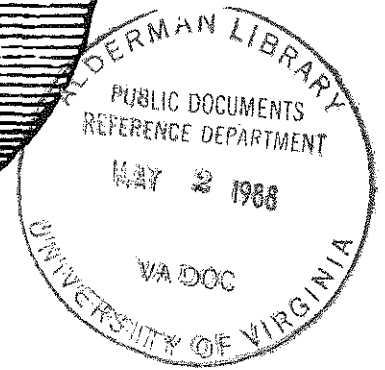


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# THE VIRGINIA REGISTER

OF REGULATIONS

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VOLUME FOUR • ISSUE FIFTEEN

April 25, 1988

# 1988

PAGES 1621 THROUGH 1682

# 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

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Apr. 20	May 9
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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 (STATE BOARD OF)

**Title of Regulation:** VR 355-22-1.1. Regulations Prohibiting the Taking of Finfish in Designated Portions of the James River and Its Tributaries.

**Publication:** VA.R. 4:11 1023-1024 February 29, 1988.

The Department of Health, after consideration of recent data and input by several state agency heads, wishes to withdraw the proposed Kepone regulations entitled, "Regulations Prohibiting the Taking of Finfish in Designated Portions of the James River and Its Tributaries" (VR 355-22-1.1). By this notice, the department is also cancelling the May 2, 1988, public hearing scheduled to comply with the Administrative Process Act.

## STATE WATER CONTROL BOARD

**REGISTRAR'S NOTICE:** Due to its length, the proposed regulation entitled Policy for Waste Treatment and Water Quality Management for the Dulles Area Watershed 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 is being published in lieu of the full text. The amendment as proposed is set out below. The full text of the regulation is available for public inspection at the office of the Registrar of Regulations and at the State Water Control Board.

**Title of Regulation:** VR 680-11-04. Policy for Waste Treatment and Water Quality Management for the Dulles Area Watershed.

**Statutory Authority:** § 62.1-44.15(3) of the Code of Virginia.

**Public Hearing Date:** June 7, 1988 - 7 p.m.  
(See Calendar of Events section for additional information)

### Background:

*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.*

*The Dulles Area Watershed Policy was adopted by the State Water Control Board in January, 1975, for the purpose of protecting several major public water supply intakes on the Potomac River downstream of*

*the watershed.*

*The existing policy allows two sewage treatment plants in the watershed (one already exists), and specifies effluent limits and reliability standards for each. In addition, the policy requires a minimum separation distance of 15 stream miles between the wastewater discharges and the water intakes located downstream.*

### Summary:

*The proposed amendment would reduce the minimum separation distance between wastewater discharges in the Dulles Area Watershed and downstream public water supply intakes from 15 stream miles to five stream miles.*

VR 680-11-04. Policy for Waste Treatment and Water Quality Management in the Dulles Area Watershed.

The State Water Control Board proposes to amend its "Policy for Waste Treatment and Water Quality Management for the Dulles Area Watershed" (adopted January 23, 1975, Minute 13) as follows:

E. The regional plant's discharge shall be into Broad Run and preferably located about 20 stream miles above existing and proposed domestic water supply intakes on the Potomac River. In no case shall the plant's discharge be located less than 15 five stream miles above an existing or presently proposed domestic water-supply intake.

\* \* \* \* \*

**Title of Regulation:** VR 680-21-01.13. Tributyltin in Surface Waters - Water Quality Standards.

**Statutory Authority:** § 62.1-44.15(3) of the Code of Virginia.

**Public Hearing Date:** June 6, 1988 - 7 p.m.  
(See Calendar of Events section for additional information)

### Background:

*Water quality standards and criteria consist of narrative statements that describe water quality requirements in general terms and numerical limits for specific physical, chemical and biological characteristics of water. 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.*

# Proposed Regulations

## Summary:

*This amendment establishes an instream water quality standard for tributyltin (TBT), an extremely toxic biocide which has been found to be harmful to many aquatic organisms in extremely low concentrations. The Environmental Protection Agency's Advisory on Tributyltin was used as the basis for developing a state water quality standard for tributyltin.*

VR 680-21-01.13. Tributyltin in Surface Waters - Water Quality Standards.

*The concentration of tributyltin (TBT) in freshwater shall not exceed 0.026 parts per billion (ug/l), and the concentration of tributyltin in saltwater shall not exceed 0.010 parts per billion (ug/l).*

\* \* \* \* \*

**Title of Regulation:** VR 680-21-07.03. Nutrient Enriched Waters - Water Quality Standards.

**Statutory Authority:** § 62.1-44.15(3) of the Code of Virginia.

**Public Hearing Date:** June 9, 1988 - 7 p.m.  
(See Calendar of Events section for additional information.)

**NOTICE:** The following regulation was initially proposed in V.A.R. 4:3 November 9, 1987 as VR 680-21-07 Special Standards and Designations and is being published as a final regulation in this issue of the *Virginia Register* to become effective May 25, 1988. The State Water Control Board is proposing an additional amendment to this regulation as indicated below. Although the initially proposed regulation has not yet become effective, that language is shown in roman type (which normally indicates an existing, finalized regulation) and the new language is italicized to set out the amendment in an effort to assist the reader in locating the new amendment.

## Background:

*Water quality standards and criteria consist of narrative statements that describe water quality requirements in general terms and numerical limits for specific physical, chemical and biological characteristics of water. 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 6 of regulation VR 680-14-02, entitled "Policy for Nutrient Enriched Waters," states that the State Water Control Board may entertain petitions from adjoining states to consider rulemaking to control nutrients entering tributaries to "nutrient enriched waters" of the adjoining state.*

## Summary:

*The State of North Carolina, through its Department of Natural Resources and Community Development, has petitioned the State Water Control Board to designate the Chowan River Basin as "nutrient enriched waters" pursuant to the board's Policy for Nutrient Enriched Waters, because of documented nuisance algal blooms in the North Carolina portion of the Chowan River resulting from excessive inputs of nutrients. Therefore, the board is proposing to amend the Water Quality Standard for Nutrient Enriched Waters, VR 680-21-07.03, to designate the tidal freshwater portions of the Blackwater River and Nottoway River as "nutrient enriched waters."*

VR 680-21-07.03. Nutrient Enriched Waters - Water Quality Standards.

### § 1. Purpose.

The board recognizes that nutrients are contributing to undesirable growths of aquatic plant life in surface waters of the Commonwealth. This standard establishes a designation of "nutrient enriched waters." Designations of surface waters of the Commonwealth as "nutrient enriched waters" are determined by the board based upon an evaluation of the historical water quality data for one or more of the following indicators of nutrient enrichment: chlorophyll "a" concentrations, dissolved oxygen fluctuations, and concentrations of total phosphorus.

### § 2. Authority.

This standard is adopted under the authority of §§ 62.1-44.15(3) and 62.1-44.15(10) of the Code of Virginia.

### § 3. Designation of nutrient enriched waters.

The following state waters are hereby designated as "nutrient enriched waters":

1. Smith Mountain Lake and all tributaries\* of the impoundment upstream to their headwaters.
2. Lake Chesdin from its dam upstream to where the Route 360 bridge (Goodes Bridge) crosses the Appomattox River, including all tributaries to their headwaters that enter between the dam and the Route 360 bridge.
3. South Fork Rivanna Reservoir and all tributaries of the impoundment upstream to their headwaters.
4. Peak Creek from its headwaters to its mouth (confluence with Claytor Lake), including all tributaries to their headwaters.
5. Aquia Creek from its headwaters to the state line.
6. Fourmile Run from its headwaters to the state line.
7. Hunting Creek from its headwaters to the state line.

8. Little Hunting Creek from its headwaters to the state line.

9. Gunston Cove from its headwaters to the state line.

10. Belmont and Occoquan Bays from their headwaters to the state line.

11. Potomac Creek from its headwaters to the state line.

12. Neabsco Creek from its headwaters to the state line.

13. Williams Creek from its headwaters to its confluence with Lower Machodoc Creek.

14. Tidal freshwater Rappahannock River from the fall line to Buoy 44, near Leedstown, Virginia, including all tributaries to their headwaters that enter the tidal freshwater Rappahannock River.

15. Estuarine portion of the Rappahannock River from Buoy 44, near Leedstown, Virginia, to the mouth of the Rappahannock River (Buoy 6), including all tributaries to their headwaters that enter the estuarine portion of the Rappahannock River.

16. Estuarine portion of the Mattaponi River from Clifton, Virginia, and estuarine portion of the Pamunkey River from Sweet Hall Landing, Virginia to West Point, Virginia, and the York River from West Point, Virginia, to the mouth of the York River (Tue Marsh Light) including all tributaries to their headwaters that enter the estuarine portions of the Mattaponi River, the Pamunkey River and the York River.

17. Tidal freshwater James River from the fall line to the confluence of the Chickahominy River (Buoy 70) including all tributaries to a distance five river miles above their fall lines that enter the tidal freshwater James River.

18. Estuarine portion of the James River from its confluence with the Chickahominy River (Buoy 70) to the mouth of the James River (Buoy 25), including all tributaries to their headwaters.

19. Chesapeake Bay and its small coastal basins from the Virginia state line to the mouth of the Bay (a line from Cape Henry drawn through Buoys 3 and 8 to Fishermans Island), and its tidal tributaries, excluding the Potomac tributaries, those tributaries listed above, and the Mattaponi River upstream of Clifton, Virginia, and the Pamunkey River upstream of Sweet Hall Landing, Virginia.

20. Tidal freshwater Blackwater River from the Norfolk and Western railway bridge at Burdette, Virginia, and tidal freshwater Nottoway River from

*the Norfolk and Western railway bridge at Courtland, Virginia, to the state line, including all tributaries to their headwaters that enter the tidal freshwater portions of the Blackwater River and the Nottoway River.*

§ 4. Whenever any water body is designated as "nutrient enriched waters," the board shall modify the NPDES permits of point source dischargers into the "nutrient enriched waters" as provided in the board's Policy for Nutrient Enriched Waters (VR 680-14-02).

\* When the word "tributaries" is used in this standard, it does not refer to the mainstem of the water body that has been named.



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# FINAL REGULATIONS

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For information concerning Final Regulations, see information page.

## Symbol Key

Roman type indicates existing text of regulations. *Italic type* indicates new text. Language which has been stricken indicates text to be deleted. [Bracketed language] indicates a substantial change from the proposed text of the regulations.

## DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES (BOARD OF)

### Title of Regulation: VR 115-05-10. Rules and Regulations Defining Standards for Grades/Sizes of Shell Eggs.

Statutory Authority: §§ 3.1-763.16 and 3.1-769.4 of the Code of Virginia.

Effective Date: May 25, 1988

### Summary:

*These amendments were developed as a result of regulatory review. In addition to changes made to promote clarity and understanding, these amendments bring Virginia standards into alignment with federal standards by adopting USDA standards for AA, A and B grade eggs as well as weight classes and doing away with Grade C which is no longer used. The amendments also require the plant of origin grading to place their name and address or plant number on each case of eggs they have packed.*

VR 115-05-10. Rules and Regulations Defining Standards for Grades/Sizes of Shell Eggs.

### Regulation I:

#### § 1. Grade AA eggs.

Eggs offered for sale as Grade AA quality shall meet the following specifications of *USDA Consumer Grade AA quality found in "Regulations Governing the Grading of Shell Eggs and United States Standards, Grades and Weight Classes for Shell Eggs (7 CFR Part 56)" of the Code of Federal Regulations, incorporated by reference in these regulations.*

1. Shell: Must be clean, unbroken, and practically normal.
2. Air Cell: Must not exceed 1/8 inch in depth and be practically regular.
3. Yoke: Must be practically free from apparent defects.
4. White: Must be clear and firm so that the yolk is only slightly defined when the egg is twirled before the candling light.

### Regulation II:

#### § 2. Grade A eggs.

Eggs offered for sale as Grade A quality shall meet the following specifications of *USDA Consumer Grade A quality found in "Regulations Governing the Grading of Shell Eggs and United States Standards, Grades and Weight Classes for Shell Eggs (7 CFR Part 56)" of the Code of Federal Regulations.*

1. Shell: Must be clean, unbroken, and practically normal.
2. Air Cell: Must not exceed 3/16 inch in depth and must be practically regular.
3. Yolk: Must be practically free from apparent defects.
4. White: Must be clear and at least reasonably firm so that the yolk outline is only fairly well defined when the egg is twirled before the candling light.

### Regulation III:

#### § 3. Grade B eggs.

Eggs offered for sale as Grade B quality shall meet the following specifications of *USDA Consumer Grade B quality found in "Regulations Governing the Grading of Shell Eggs and United States Standards, Grades and Weight Classes for Shell Eggs (7 CFR Part 56)" of the Code of Federal Regulations.*

1. Shell: Must be unbroken and may be slightly abnormal and may show slight stains but no adhering dirt, provided that they do not appreciably detract from the appearance of the egg. When the stain is localized, approximately 1/32 of the shell surface may be slightly stained, and when the slightly stained areas are scattered, approximately 1/16 of the shell surface may be slightly stained.
2. Air Cell: Must not exceed 3/8 inch in depth, may show unlimited movement, and may be free or bubbly.
3. Yolk: May appear slightly enlarged or slightly flattened and may show either definite, but not serious, defects.
4. White: Must be clear and may be slightly weak so that the yolk outline is well defined when the egg is twirled before the candling light.

Regulation IV: Eggs offered for sale as Grade C quality shall meet the following specifications:

1. Shell: Must be unbroken, may be abnormal and may have slightly stained areas. Moderately stained areas are permitted if they do not cover more than 1/4 of the shell surface. Eggs having shells with prominent stains or adhering dirt are not permitted.
2. Air Cell: May be over 3/8 inch in depth and may be free or bubbly.
3. Yolk: May appear dark, enlarged, and flattened, and may show clearly visible germ development but no blood due to such development. It may show other serious defects that do not render the egg inedible. Small blood clots or spots (aggregating no more than 1/8 inch in diameter) may be present.
4. White: May be weak or watery so that the yolk outline is plainly visible when the egg is twirled before the candling light.

Regulation V:

#### § 4. Ungraded eggs.

Eggs offered for sale as ungraded shall meet the following specifications of *USDA Consumer Grade B quality found in "Regulations Governing the Grading of Shell Eggs and United States Standards, Grades and Weight Classes for Shell Eggs (7 CFR Part 56)" of the Code of Federal Regulations.*

1. Shell: Must be unbroken and may be slightly abnormal and may show slight stains but no adhering dirt, provided that they do not appreciably detract from the appearance of the egg. When the stain is localized, approximately 1/32 of the shell surface may be slightly stained, and when the slightly stained areas are scattered, approximately 1/16 of the shell surface may be slightly stained.
2. Air Cell: Must not exceed 3/8 inch in depth, may show unlimited movement, and may be free or bubbly.
3. Yolk: May appear slightly enlarged or slightly flattened and may show other definite, but not serious defects.
4. White: Must be clear and may be slightly weak so that the yolk outline is well defined when the egg is twirled before the candling light.

Regulation VI:

#### § 5. Inedible Loss, inedible or leaker eggs.

Eggs of the following description are classified as inedible and described as loss, inedible or leakers within

the meaning of "Regulations Governing the Grading of Shell Eggs and United States Standards, Grades and Weight Classes for Shell Eggs (7 CFR Part 56)," § 56.212 (a), (b) and (c) of the Code of Federal Regulations shall not be sold or offered for sale except as herein specifically provided: for human consumption.

Black rots, white rots, mixed rots (addled eggs), sour eggs, eggs with green whites, eggs with stuck yolks, moldy eggs, musty eggs, eggs showing blood rings or bloody whites, eggs containing embryo chicks (at or beyond the blood ring stage), leaker, smashed, or coddled eggs, eggs that are filthy, decomposed or putrid, and any eggs showing blood spots in excess of 1/8 inch in diameter unless these blood spots can be and are completely removed, and thereafter approved for sale by a duly authorized agent of the Commissioner. The eggs from which the blood spots can be removed may be transported within the State of Virginia to official Federal State or State supervised egg breaking plants for further processing provided they are sealed with a white gum tape approved by a duly authorized agent of the Commissioner, and the sealing tape on the containers in which they are being kept, stored or transported for further processing is marked with red letters of no less than 1/2 inch in height with the following language: "These eggs are not for sale for human consumption until approved after further processing."

Regulation VII: Disposal of incubator eggs. Incubator eggs may be sold for commercial purposes only and when sold for such purposes shall be disposed of in the following manner:

1. Any person, firm or corporation who sells or offers for sale incubator eggs for commercial purposes shall prior to or at time of sale and delivery be responsible for the smashing of said eggs.
2. Such eggs shall be disposed of only to such person, firm or corporation which provide closed metal containers with tight lids for the transporting of such incubator eggs. Such containers shall be subject to the approval of the Commissioner of Agriculture.

Regulation VIII: The official determination of the quality of individual shell eggs shall be based on the use of approved candling equipment.

#### § 6. Weight classes.

Consumer grades of shell eggs shall conform to the following weight classes: When and ungraded eggs are marked as to size, they shall conform to the following weight classes: *USDA weight classes for consumer grades for shell eggs found in "Regulations Governing the Grading of Shell Eggs and United States Standards, Grades and Weight Classes for Shell Eggs (7 CFR Part 56)" of the Code of Federal Regulations.*

# Final Regulations

## DEPARTMENT OF COMMERCE

Title of Regulation: VR 190-03-01. Polygraph Examiners.

Statutory Authority: § 54-917 of the Code of Virginia.

Effective Date: September 1, 1988

Summary:

*The adopted regulation continues the requirement for all polygraph examiners to be licensed and to meet certain education or experience requirements, or both, attend an approved polygraph school, serve an internship and pass an examination before becoming licensed. Polygraph interns may conduct polygraph examinations only under the direct supervision of a licensed polygraph examiner approved by the department to supervise their internship. All polygraph examinations must conform to specific standards of practice requirements.*

*The adopted revisions include a requirement that each applicant pay a \$125 fee for each administration of the licensing examination and pass all parts of the licensing examination at a single administration in order to be eligible for a license. Intern registrations may be extended for more than one year only after the individual has repeated the approved polygraph school. Also, included are: (i) three new definitions; (ii) additional standards of practice requirements; (iii) the prohibition of certain questions; (iv) limitations on the number of examinations which may be performed in one day, the number of questions which may be asked on a single test and the interval between questions asked on a polygraph test; (v) required test chart markings; and (vi) a prohibition against examiners making hiring or retention recommendations based solely on polygraph examination results. In addition, examiners are restricted to three evaluations of polygraph tests and are prohibited from rendering a report based upon polygraph chart analysis unless each relevant question is asked at least once on two separate polygraph tests. Polygraph examinations must be tape recorded upon the request of the examinee. Specific exceptions are made for law-enforcement examinations. Examinees must be notified in writing of certain Standards of Practice provisions at the beginning of each polygraph examination.*

*Minor language changes were made to §§ 3.2, 3.5, 3.7, 3.8, and 3.14 of the proposed regulations.*

VR 190-03-01. Polygraph Examiners.

### SECTION ONE

#### PART I. GENERAL.

Size or Weight Class	Min. net wt. per doz.	Min. net wt. per 30 doz.	Min. wt. for Individual Eggs at rate per doz.
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	Ounces	Pounds	Ounces
Jumbo	30	56	29
Extra Large	27	50 1/2	26
Large	24	45	23
Medium	21	39 1/2	20
Small	18	34	17
Peewee	15	28	

**Regulation X:**

§ 7. Egg case and container markings.

All egg cases or retail containers in which eggs are kept for the purpose of sale, or offered or exposed for sale (except those exempt in § 3.1-765), shall be marked according to one of the grades and sizes, or marked cracks or ungraded. The marking, identity of the commodity in the package, and net quality of the contents in terms of count shall appear on the principal display panel of the package. The retail containers shall bear the name and address of the packer or distributor; when the eggs are kept, offered, or exposed for sale or sold at any place other than on the premises where packed. The grade and size, cracks or ungraded status, shall be spelled out in full. All information required to appear on the container shall be prominent, definite, and plain, and shall be conspicuous as to size and style of letters and numbers. When loose eggs are on display for sale, a sign shall be attached showing the grade and size, cracks or the ungraded status, in plain view to the public.

*The plant of origin grading within the meaning of "Regulations Governing the Grading of Shell Eggs and United States Standards, Grades and Weight Classes for Shell Eggs (7 CFR Part 56)," § 56.1 of the Code of Federal Regulations [ must shall ] be identified on all cases or containers in which shell eggs are delivered to the retail or food service institution.*

**Regulation XI:**

§ 8. Requirement for eggs being processed, transported, or stored.

It shall be unlawful for any person, firm, or corporation to permit unsanitary conditions to exist in the processing, transportation, or storage of eggs; whereby such the eggs may become contaminated.

Adopted: September 24, 1968

## § 1.1. Definitions.

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

"Polygraph examination" means the entire period of contact between a licensee and an examinee.

"Polygraph test" means the part of the polygraph examination during which the examinee is connected to a polygraph instrument which is continuously recording the examinee's reactions to questions.

"Relevant question" means a question asked of an examinee during a polygraph test which concerns an issue identified to the examinee during the pretest and which is to be reported by the licensee to any other person.

## § 1.1. § 1.2. Advisory committee board .

The Polygraph Examiners Advisory Committee Board , consisting of eight members appointed by the director, shall advise the department on any matters relating to the practice of polygraphy and the licensure of polygraph examiners in the Commonwealth of Virginia.

~~1.1.1.~~ A. The advisory committee board shall be composed of three Virginia licensed polygraph examiners employed by law-enforcement agencies of the Commonwealth, or any of its political subdivisions; three Virginia licensed polygraph examiners employed in private industry; and two citizen members as defined in §§ 54-1.18:1 and 54-1.27 of the Code of Virginia. All members must be residents of the Commonwealth of Virginia.

~~1.1.2.~~ B. Each member shall serve a three-year term. No member shall serve more than two consecutive three-year terms.

## § ~~1.2.~~ § 1.3. Renewal of license.

Each examiner's license shall be valid for one calendar year or for such part remaining in the one-year period when the license is issued. Each examiner's license shall be renewed during December of each year, and if not so renewed shall expire on December 31 of that year. A renewal fee of \$100 shall accompany each renewal application for the examiner's license. Each licensee who applies for renewal after January 31 shall pay an additional \$100 late fee (\$200 total to be paid). Failure of the licensee to receive the notice and application to renew from the department shall not constitute grounds for relief from these requirements for renewal.

## § ~~1.3.~~ § 1.4. Reinstatement of examiner's license.

An examiner whose license has expired may, at any time within six months after expiration, obtain a renewal license by paying all renewal and late fees due. Anyone who has not reapplied within six months may shall be

required to pass the licensing examination and pay a reinstatement fee of \$200.

## SECTION TWO

### PART II. ENTRY REQUIREMENTS.

#### § 2.1. Application for license and registration .

~~2.1.1.~~ A. Each application shall be made on forms provided by the department.

~~2.1.2.~~ B. Each application for an examiner's license shall be accompanied by a fee of \$125, which is nonrefundable.

C. Each application for an intern registration shall be accompanied by a fee of \$35, which is nonrefundable.

D. A separate application and nonrefundable \$125 fee shall be required from each applicant for each administration of the licensing examination.

E. Each applicant shall submit his fingerprints on forms provided by the department.

#### § 2.2. Qualifications for Licensure.

Each applicant for an examiner's license shall submit a copy of his or her fingerprints to the Department, along with a notarized statement that he or she meets the requirements for licensure.

#### § ~~2.3.~~ § 2.2. Experience required.

All applicants [ ~~must shall~~ ] have a high school diploma or its equivalent and a minimum of five years' experience as an investigator, detective, or in a behavioral science related field acceptable to the department which demonstrates the ability to practice polygraph .

#### § 2.4. § 2.3. Experience required, exceptions.

~~2.4.1.~~ A. Two years of the five years of experience required in § 2.2 shall be waived for credited to applicants with an associate degree from an accredited college or university.

~~2.4.2.~~ B. All five years of experience required in § 2.2 shall be waived for credited to applicants with a bachelor's degree from an accredited college or university.

#### § ~~2.5.~~ § 2.4. Education required.

The applicant ~~must shall~~ either successfully complete the required training in detection of deception at a polygraph school approved by the department , or submit evidence of satisfactory completion of substantially equivalent training if the polygraph school at which the applicant received training in the detection of deception is not approved by the department .

# Final Regulations

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## § 2-6. Education Required, Exception.

The Department may waive the education requirement if the applicant provides the Department with satisfactory evidence of having other substantially equivalent training.

## § 2-7. Education Required, Exception for Residents of Unregulated Jurisdictions.

Any resident of a jurisdiction of the United States not licensing or certifying polygraph examiners may have the education requirement waived by providing the Department with satisfactory evidence of having three years of experience as a polygraph examiner in that jurisdiction.

## § 2-8. § 2.5. Internship required.

The applicant must complete six months as a licensed registered intern examiner under the personal and direct on-premise supervision of an examiner qualified under § 2-10 § 2.9 who shall supervise each and every polygraph examination administered by the intern. The internship need not be accomplished in Virginia. However, any internship conducted outside of Virginia must comply fully with this regulation .

~~2-8-1.~~ No intern shall be eligible to sit for the license examination until the intern's supervisor has submitted to the department a written statement that the internship has been satisfactorily completed.

## § 2-9. § 2.6. Examination required.

The applicant must pass ~~an~~ all parts of a polygraph examiner licensing examination prior to being licensed approved by the department at a single administration in order to be eligible for a polygraph examiner's license .

## § 2.7. Registration of polygraph examiner interns.

A polygraph examiner intern registration shall be issued to applicants who fulfill the requirements of §§ 2.2 through 2.4.

A. An intern registration shall be valid for 12 months from the date of issue.

B. Each intern shall be supervised by a licensed polygraph examiner who meets the qualifications in § 2.9.

## § 2.8. Continued registration as a polygraph intern after the expiration of the initial intern registration.

A. A person applying for an extension of a polygraph intern registration shall submit the fee referenced in § 2.1(C); and

B. The registration may be extended for no more than one year except that additional extensions will be allowed if the individual repeats the education requirements set

forth in § 2.4.

## § 2-10. § 2.9. Qualifications for intern supervisors licensed polygraph examiners to act as supervisors of polygraph interns .

Each supervisor for a licensed registered intern examiner shall have held a valid Virginia examiner's license for three years or submit evidence satisfactory to the department that he or she has qualifications that are substantially equivalent to those required herein.

## § 2-11. § 2.10. Procedures for intern supervisors licensed polygraph examiners to certify the procedures to be used to supervise an intern during an internship .

~~2-11-1.~~ A. Each intern supervisor licensee supervising an intern shall file with the application of the intern a description of the following :

~~2-11-1-1.~~ 1. The frequency of contact between supervisor the licensee and the intern; and

~~2-11-1-2.~~ 2. The procedure procedures to be employed by the supervisor licensee in reviewing and evaluating the intern's performance; and

~~2-11-1-3.~~ 3. The polygraph technique(s) to be used.

~~2-11-2.~~ B. The supervisor licensee supervising the intern shall review the intern's charts of the intern prior to the rendering of any opinion or conclusion on any polygraph examination administered by the intern.

## § 2-12 § 2.11. Waiver of requirements.

The department may waive the education, experience or internship for license by reciprocity any person licensed and in good standing in another jurisdiction where a formal reciprocal licensing agreement has established that the requirements were substantially equivalent to those in Virginia at the time licensure as granted.

The department may waive the internship for any person who practiced polygraphy in the federal jurisdiction.

## § 2-13. Polygraph schools application, inspection.

2-13-1. Any school applying for approval or having been approved is subject to inspection by the department.

2-13-2. Any school required by the department to be inspected shall pay for the actual expenses of the inspection.

2-13-3. Each out-of-state school approved by the state in which it is located must have the appropriate regulatory agency of that state certify such approval to the department.

§ 2-14. § 2.12. Required Approval of polygraph school curriculum.

Each school shall teach a curriculum covering the subjects enumerated in this section. The duration of instruction shall be not less than 240 hours, unless the school has obtained approval from the department to teach the curriculum in fewer hours after satisfying the department that it can teach the curriculum satisfactorily in less time. The curriculum shall encompass:

Each school desiring to teach polygraphy shall submit its curriculum to the department for approval. The curriculum shall meet the following minimum requirements:

1. There shall be one type of accepted polygraph instrument per three students in the course;
2. The duration of instruction shall not be less than 240 hours, unless the school has obtained approval from the department for a shorter duration of instruction;
3. Each out-of-state school approved by the state in which it is located shall have the appropriate regulatory agency of that state certify such approval to the department;
4. The curriculum shall encompass the following subject areas:
  - 2-14.1 a. Polygraph theory ;
  - 2-14.2 b. Examination techniques and question formulation ;
  - 2-14.3 c. Polygraph interrogation ;
  - 2-14.4 d. Case observation ;
  - 2-14.5 e. Polygraph case practice ;
  - 2-14.6 f. Chart interpretation ;
  - 2-14.7 g. Legal aspects of polygraphy ;
  - 2-14.8 h. Physiological aspects of polygraphy ;
  - 2-14.9 i. Psychological aspects of polygraphy ;
  - 2-14.10 j. Instrumentation ;
  - 2-14.11 k. History of polygraph ; and
  - 2-14.12 l. Reviews and examinations .

§ 2-15. Qualifications to be met by instructors of required subjects.

5. Any person teaching the subjects required by § 2-13

of these this regulation shall meet a minimum of the following minimum requirements for the subjects to be taught:

- 2-15.1 a. Legal aspects of polygraph examination. The instructor must be a member of the Virginia Bar.
- 2-15.2 b. Polygraph interrogation. The instructor must have five years experience in the field of interrogation.
- 2-15.3 c. Physiological aspects of polygraphy. The instructor must have a degree in a health related science with coursework in physiology from an accredited institution of higher learning.
- 2-15.4 d. Psychological aspects of polygraphy. The instructor must have a degree in psychology from an accredited institution of higher learning.
- 2-15.5 e. All other courses - five years of experience as a polygraph examiner may be taught by individuals having at least five years of experience as a polygraph examiner .
- 2-15.6 f. The department may make exception to the above qualifications when an instructor is otherwise qualified by education or experience and provides such evidence in writing to the department .

Schools may be required to submit evidence of compliance with this regulation on a quarterly basis and shall allow observations of their compliance by the department's designated representatives.

§ 2-16. Nonresident application.

Each nonresident applicant for licensure shall file an irrevocable consent for the department to serve as service agent for all actions filed in any court in this Commonwealth.

§ 2-17. Intern License.

Upon approval of the department, polygraph examiner intern license shall be issued to anyone fulfilling the requirements of 2.2 through 2.6.

2-17.1. The fee for an intern license shall be thirty-five dollars (\$35).

2-17.2. The fee shall be paid not less than ten days prior to the date the applicant begins the internship.

2-17.3. An intern license shall be valid for twelve months from the date of issue.

2-17.4. Each intern shall be supervised by a licensed polygraph examiner.

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§ 2-18. Continued licensure as a polygraph intern after the expiration of the initial intern license.

2-18.1. A person applying for an extension of a polygraph intern license shall submit the fee referenced in 2-16.1.

2-18.2. The license may be extended for no more than one year.

## SECTION THREE

### PART III. STANDARDS OF PRACTICE.

§ 3.1. Standards of practice to be explained in writing.

At the beginning of each polygraph examination, the examiner shall provide the examinee with a written explanation of the provisions of §§ 3.1 through 3.8.

§ 3.2. Examinee may request tape recording of examination.

The examiner shall tape record the examination administered to any examinee who requests a tape recording. Each examiner shall maintain tape recording equipment and tapes adequate for such recording. The examiner shall safeguard all examination recordings with the records he is required to keep by § 3.17 and make the recordings available to the department, the examinee or the examinee's attorney upon request. The examiner may charge the examinee a fee not to exceed [ ~~\$10~~ \$25 ] only if the examinee requests and receives a copy of an examination tape recording.

§ 3.3. Examinee entitled to a copy of written report.

The examinee shall be entitled to a copy of all portions of any written report pertaining to his examination which is prepared by the examiner and provided to any person. The examinee shall make his request in writing to the examiner. The examiner shall comply within 10 business days of providing the written report to any person or receiving the examinee's written request, whichever occurs later. The examiner may collect not more than \$1.00 per page from the examinee for any copy provided.

§ 3.4. Exceptions.

The provisions of §§ 3.1, 3.2, and 3.3 shall not be applicable to any examination conducted by or on behalf of the Commonwealth or any of its political subdivisions when the examination is for the purpose of preventing or detecting crime or the enforcement of penal laws. However, examiners administering examinations as described in this section shall comply with § 3.1 through a verbal explanation of the provisions of §§ 3.5, 3.6, and 3.7.

§ ~~3-1~~ § 3.5. Pretest procedure.

Prior to administering any polygraph examination test, the examiner shall : inform the prospective examinee of all the issues to be covered during the polygraph [ examination test ] and of all the items to be reported by the examiner to any other person ; and advise the examinee of the applicable rights provided examinees in Section 3-3 of these regulations .

§ 3-2 § 3.6. Written consent to examine.

The examiner shall obtain written permission from the prospective examinee to administer the examination after fulfilling the requirements of § 3.1, but and before commencing proceeding further with the administration of the examination.

§ 3-3 § 3.7. Rights of Examinees Examination standards of practice .

The examiner shall guarantee the following To protect the rights to of each examinee, advise the examiner shall comply with the following standards of practice by advising each examinee in the manner prescribed of each of these rights the following standards of practice and shall not proceed to examine or continue to examine the examination if it is or becomes apparent to the examiner that the examinee does not understand any one of these [ rights standards ]:

3-3-1 1. All questions to be asked during the examination polygraph test(s) shall be reduced to writing and read to the examinee.

3-3-2 2. The examinee or the examiner may terminate the examination at any time.

3-3-3 3. If the examination is within the scope of § 40.1-51.4.3 of the Code of Virginia, the examiner shall explain the provisions of that statute to the examinee.

4. No questions shall be asked concerning any examinee's lawful religious affiliations, lawful political affiliations, or lawful labor activities. This provision shall not apply to any such affiliation which is inconsistent with the oath of office for public law-enforcement officers.

5. The examinee shall be provided the full name of the [ licensee examiner ] and the name, address, and telephone number of the Department of Commerce.

3-3-4. If a written report is to be prepared by the examiner and provided to any person, the examinee shall be entitled to a copy of all portions of that written report pertaining to his or her examination. The examinee shall exercise this entitlement by making written request to the examiner. The examiner shall comply with the examinee's written request within ten business days of providing the written report to any person or receiving the examinee's written request, whichever occurs later. The examiner

shall be entitled to collect not more than fifty cents per page from the examinee for any copy provided.

~~3.3.4.1.~~ Regulation ~~3.3.4~~ shall not be applicable to any examination conducted by or on behalf of any state or local government agency in the Commonwealth or its political subdivisions when the examination is for the purpose of preventing or detecting crime or the enforcement of penal laws.

### § 3.8. Sexual preference or sexual activity questions.

Examiners shall not ask questions during any part of a polygraph examination concerning any examinee's sexual preferences or sexual activities.

This section shall not be applicable to any examination conducted by [ ~~or~~ , ] on behalf of [ , or required by ] any state or local government agency in the Commonwealth or its political subdivisions.

### § 3.9. Number of examinations.

An examiner shall not perform more than 12 polygraph examinations in any 24-hour period.

### § 3.10. Number of questions to be asked on a polygraph test.

An examiner shall not ask more than 16 questions on a single polygraph test.

Nothing in this section shall prohibit an examiner from conducting more than one polygraph test during a polygraph examination.

### § 3.11. Interval between polygraph test questions.

Examiners shall allow on every polygraph test a minimum time interval of 10 seconds between the examinee's answer to a question and the start of the next question.

### § 3.12. Polygraph test chart markings.

Examiners shall record at a minimum the following information on each polygraph test chart produced:

1. The name of the examinee;
2. The date of the examination;
3. The time that each test begins;
4. The examiner's initials;
5. Any adjustment made to component sensitivity;
6. The point at which each question begins and each answer is given;

7. Each question number; and

8. Each answer given by the examinee.

### § 3.13. Polygraph test evaluation.

Examiners shall render only three evaluations of polygraph tests:

1. Deception indicated;
2. No deception indicated; or
3. Inconclusive.

Examiners may include in their report any information revealed by the examinee during the polygraph examination.

Nothing in this section shall prohibit an examiner from explaining the meaning of the above evaluations.

### § 3.14. Chart analysis.

An examiner shall not render a verbal or written report based upon polygraph test chart analysis without having conducted at least two polygraph tests. Each relevant question shall have been asked at least once on each [ of at least two ] polygraph [ ~~test tests~~ ].

### § 3.15. Hiring or retention recommendations.

Examiners shall not make hiring or retention recommendations based solely on the results of a polygraph examination.

This section shall not prohibit an examiner from making a hiring or retention decision for the examiner's full-time employer.

### ~~§ 3.4~~ § 3.16. Display of license.

Each licensed polygraph examiner ~~must~~ and registered polygraph examiner intern shall post, in a conspicuous place for the examinee, ~~their~~ his license or registration, or a legible copy of ~~their~~ his license or registration to practice in Virginia.

### ~~§ 3.5~~ § 3.17. Records.

The licensed polygraph examiner or registered polygraph examiner intern shall maintain the following for at least one year from the date of each polygraph examination:

- ~~3.5.1~~ 1. Polygraphic charts.
- ~~3.5.2~~ 2. Questions asked during the examination;
- ~~3.5.3~~ 3. A copy of the results and the conclusions drawn;



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3-5-4 4. A copy of any written report provided in connection with the examination.

5. *Tape recordings of examinations made in compliance with § 3.2.*

~~§ 3.6. Polygraph School Physical Facilities—There must be one type of accepted polygraph instrument per three students in the course. (§ 54-920)~~

§ 3-7 § 3.18. Grounds for fines, denial, suspension or revocation of licenses or denial or withdrawal of school approval.

The department may fine, deny, suspend, or revoke any license *or registration*, or deny or withdraw school approval upon a finding that the applicant, licensee, *registrant*, or school:

3-7-3 1. Has misrepresented information furnished when applying for any license *or registration*, renewal of license *or registration*, or approval; or

3-7-4 2. Has violated or aided or abetted another in violating Chapter 1.1 of Title 54 or §§ 54-916 through 54-922 of the Code of Virginia, or any regulation or rule issued pursuant to those laws; or

3-7-5 3. Has been convicted of any misdemeanor involving dishonesty, fraud, or deceit *directly related to the occupation* or any felony; or

3-7-6 4. Has made any misrepresentation or false promise or caused to be printed or otherwise disseminated any false or misleading advertisement; or

3-7-7 5. Has allowed one's license *or registration* to be used by anyone else; or

3-7-8 6. Has failed, within a reasonable time, to provide information requested by the department.

COMMONWEALTH OF VIRGINIA  
DEPARTMENT OF COMMERCE  
POLYGRAPH SECTION  
P.O. BOX 11066, RICHMOND, VIRGINIA 23230-1066

APPLICATION FOR A Polygraph  INTERN REGISTRATION FEE \$35.00  
(Check appropriate box)  EXAMINER LICENSE FEE \$125.00

- (1) Legal name of applicant \_\_\_\_\_  
(LAST) (FIRST) (MIDDLE)
- Residence Telephone # ( ) \_\_\_\_\_ Business Telephone # ( ) \_\_\_\_\_  
Area Code Area Code
- (2) Legal residence \_\_\_\_\_  
Street City State Zip
- (3) To Intern Under (If Applicable) \_\_\_\_\_  
Polygraph Examiner License No. \_\_\_\_\_  
Business Address: \_\_\_\_\_

A. Execute two Department of Commerce application fingerprint cards in their entirety and attach.  
 B. Make check or money order payable to: TREASURER OF VIRGINIA  
 C. Have your intern supervisor complete an Intern Supervisor Qualification and Endorsement Form if you are applying for an intern registration.

- (4) Enter the name and address of the Virginia approved polygraph school you attended and the date of your graduation:  
 NAME OF SCHOOL \_\_\_\_\_  
 ADDRESS \_\_\_\_\_  
 DATE OF GRADUATION \_\_\_\_\_  
 NOTE: A CERTIFIED TRUE COPY of your transcript or diploma MUST be attached to this application.
- (5) Enter, if applicable, the name and address of the employer or employers through which you received qualifying experience and provide a brief description of your duties: (IF ADDITIONAL SPACE IS NEEDED, PLEASE USE A PLAIN SHEET OF PAPER AND ATTACH)  
 Employer's Name \_\_\_\_\_  
 Address \_\_\_\_\_  
 Date of Employment (from) \_\_\_\_\_ (to) \_\_\_\_\_  
 Description of Duties \_\_\_\_\_

NOTE: A LETTER FROM your employer(s) confirming the above information MUST be attached.

(6) Enter, if applicable, the name and address of the accredited college or university from which you graduated and the type of degree earned, your degree field and the date you graduated:

Name of College or University \_\_\_\_\_  
Address \_\_\_\_\_  
Degree Earned \_\_\_\_\_ Degree Field \_\_\_\_\_  
Date of Graduation \_\_\_\_\_

NOTE: A CERTIFIED TRUE COPY of a transcript from your college or university MUST be attached to this application.

(7) If you are applying for an examiner license under a reciprocal licensing agreement between Virginia and another state, enter the name and address of the agency which issued your license, the license number, the date of issuance and the date of expiration:

NAME OF ISSUING AGENCY \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
LICENSE NUMBER \_\_\_\_\_  
DATE OF ISSUANCE \_\_\_\_\_  
DATE OF EXPIRATION \_\_\_\_\_

NOTE: PLEASE write to the above referenced agency and request they address a letter to the Virginia Department of Commerce verifying the above information.

(8) Have you ever been convicted of a felony or misdemeanor: \_\_\_\_\_ If answer is "Yes" give full particulars on separate sheet of paper. (Yes or No)

(9) AFFIDAVIT

(To be executed by every applicant, including nonresident.)

State of \_\_\_\_\_  
County or City of \_\_\_\_\_

The undersigned being duly sworn deposes and says that he is the person who executed this application, that the statements herein contained are true, that he has not suppressed any information that might affect this application, and that he has read and understands this affidavit.

SEAL

Signature of Applicant \_\_\_\_\_  
Subscribed and sworn to before me this \_\_\_\_\_  
day of \_\_\_\_\_, 19\_\_\_\_  
Signature of Notary Public \_\_\_\_\_  
My Commission expires: \_\_\_\_\_

DEPARTMENT OF COMMERCE  
 INTERN SUPERVISOR QUALIFICATION  
 AND ENDORSEMENT FORM

If you are applying for a registration as a Polygraph Intern, your Intern Supervisor must complete this form.

Legal name of Intern Supervisor \_\_\_\_\_  
 (LAST) (FIRST) (MIDDLE)

Date licensed as an Examiner in Virginia \_\_\_\_\_

Virginia Polygraph Examiner License Number \_\_\_\_\_

Legal residence of Supervisor \_\_\_\_\_

Statement of frequency of contact between Intern Applicant and Intern Supervisor during the six month internship: \_\_\_\_\_

Procedure to be employed by the Intern Supervisor in reviewing and evaluating the Intern's performance: \_\_\_\_\_

Polygraph technique(s) to be utilized: \_\_\_\_\_

ENDORSEMENT BY LICENSED EXAMINER

I hereby agree to supervise the internship of \_\_\_\_\_ as required by Regulation. I understand I must provide personal and direct on-premise supervision, review all charts of the Intern prior to the rendering of any opinion or conclusion on any polygraph examination administered by the Intern and send the Department a written statement when the internship has been completed.

AFFIDAVIT

State of \_\_\_\_\_ SS.

County or City of \_\_\_\_\_

The undersigned being duly sworn deposes and says that he is the person who executed this form, that the statements herein contained are true, that he has not suppressed any information that might affect this application, and that he has read and understands this affidavit.

SEAL

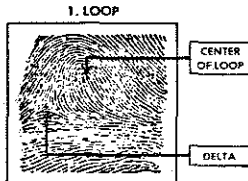
Signature of Intern Supervisor: \_\_\_\_\_  
 Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

Signature of Notary Public \_\_\_\_\_  
 My Commission expires: \_\_\_\_\_

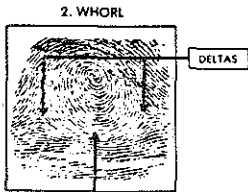
APPLICANT		LEAVE BLANK		TYPE OR PRINT ALL INFORMATION IN BLACK										LEAVE BLANK	
SIGNATURE OF PERSON FINGERPRINTED		ALIAS: AKA		LAST NAME: HAM		FIRST NAME		MIDDLE NAME		O R I		489200682		DATE OF BIRTH: DOB	
RESIDENCE OF PERSON FINGERPRINTED		CITIZENSHIP: CIZ		SEX		RACE		HGT		WGT		EYES		HAIR	
DATE		SIGNATURE OF OFFICIAL TAKING FINGERPRINTS		YOUR NO: OCA		FBI NO: FBI		ARMED FORCES NO: ANU		SOCIAL SECURITY NO: SOC		MISCELLANEOUS NO: MNU		CLASS	
EMPLOYER AND ADDRESS		DEPT OF COMM RICHMOND VA		PLACE OF BIRTH: POB		REF.		LEAVE BLANK		REF.		REF.		REF.	
PERSON FINGERPRINTED		PERSON FINGERPRINTED		PERSON FINGERPRINTED		PERSON FINGERPRINTED		PERSON FINGERPRINTED		PERSON FINGERPRINTED		PERSON FINGERPRINTED		PERSON FINGERPRINTED	
1. R. THUMB		2. R. INDEX		3. R. MIDDLE		4. R. RING		5. R. LITTLE		6. L. THUMB		7. L. INDEX		8. L. MIDDLE	
6. L. THUMB		7. L. INDEX		8. L. MIDDLE		9. L. RING		10. L. LITTLE							

FEDERAL BUREAU OF INVESTIGATION  
 UNITED STATES DEPARTMENT OF JUSTICE  
 WASHINGTON, D.C. 20537

APPLICANT



THE LINES BETWEEN CENTER OF LOOP AND DELTA MUST SHOW



THESE LINES RUNNING BETWEEN DELTAS MUST BE CLEAR



ARCHES HAVE NO DELTAS

FD-258 (REV. 11-29-82)

TO OBTAIN CLASSIFIABLE FINGERPRINTS:

1. USE BLACK PRINTERS INK
2. DISTRIBUTE INK EVENLY ON INKING SLAB
3. WASH AND DRY FINGERS THOROUGHLY
4. ROLL FINGERS FROM HEEL TO HAIL, AND AVOID ALLOWING FINGERS TO SLIP
5. BE SURE IMPRESSIONS ARE RECORDED IN CORRECT ORDER
6. IF AN AMPUTATION OR DEFORMALITY MAKES IT IMPOSSIBLE TO PRINT A FINGER, MAKE A NOTATION TO THAT EFFECT IN THE INDIVIDUAL FINGER BLOCK
7. IF SOME PHYSICAL CONDITION MAKES IT IMPOSSIBLE TO OBTAIN PERFECT IMPRESSIONS, SUBMIT THE BEST THAT CAN BE OBTAINED WITH A MEMO STAPLED TO THE CARD EXPLAINING THE CIRCUMSTANCES
8. EXAMINE THE COMPLETED PRINTS TO SEE IF THEY CAN BE CLASSIFIED. BEARING IN MIND THAT MOST FINGERPRINTS FALL INTO THE PATTERNS SHOWN ON THIS CARD (OTHER PATTERNS OCCUR INFREQUENTLY AND ARE NOT SHOWN HERE).

THIS CARD FOR USE BY:

1. LAW ENFORCEMENT AGENCIES IN FINGERPRINTING APPLICANTS FOR LAW ENFORCEMENT POSITIONS.
2. OFFICIALS OF STATE AND LOCAL GOVERNMENTS FOR PURPOSES OF EMPLOYMENT LICENSING AND PERMITS AS AUTHORIZED BY STATE STATUTES AND APPROVED BY THE ATTORNEY GENERAL OF THE UNITED STATES, LOCAL AND COUNTY GOVERNMENTS, UNLESS SPECIFICALLY BARRED BY APPLICABLE STATE STATUTES DO NOT SATISFY THIS REQUIREMENT.
3. U.S. GOVERNMENT AGENCIES AND OTHER ENTITIES REQUIRED BY FEDERAL LAW.
4. OFFICIALS OF FEDERALLY CHARTERED OR INCORPORATED INSTITUTIONS TO PROMOTE OR MAINTAIN THE SECURITY OF THOSE INSTITUTIONS.

LEAVE THIS SPACE BLANK

INSTRUCTIONS:

1. PRINTS MUST FIRST BE CHECKED THROUGH THE APPROPRIATE STATE IDENTIFICATION BUREAU AND ONLY THOSE FINGERPRINTS FOR WHICH NO DISQUALIFYING RECORD HAS BEEN FOUND LOCALLY SHOULD BE SUBMITTED FOR FBI SEARCH
  2. PRIVACY ACT OF 1974 (P.L. 93-502) REQUIRES THAT FEDERAL STATE OR LOCAL AGENCIES INFORM INDIVIDUALS WHOSE SOCIAL SECURITY NUMBER IS REQUESTED WHETHER SUCH DISCLOSURE IS MANDATORY OR VOLUNTARY. BASIS OF AUTHORITY FOR SUCH SOLICITATION AND USES WHICH WILL BE MADE OF IT
  3. IDENTITY OF PRIVATE CONTRACTORS SHOULD BE SHOWN. IN SPACE EMPLOYER AND ADDRESS. THE CONTRIBUTOR IS THE NAME OF THE AGENCY SUBMITTING THE FINGERPRINT CARD TO THE FBI
  4. FBI NUMBER IF KNOWN SHOULD ALWAYS BE FURNISHED IN THE APPROPRIATE SPACE.
- MISCELLANEOUS NO. RECORD OTHER ARMED FORCES NO. PASSPORT NO. (PPI) ALIEN REGISTRATION NO. (ARI) POST SECURITY CARD NO. (PSI) SELECTIVE SERVICE NO. (SS) VETERANS ADMINISTRATION CLAIM NO. (VAL)

U.S. G.P.O. 1987-179-227

Commonwealth of Virginia  
 DEPARTMENT OF COMMERCE  
 Polygraph Section  
 3600 West Broad Street, Richmond, Virginia 23230-4917

APPLICATION FOR APPROVAL OF A POLYGRAPH SCHOOL

Date \_\_\_\_\_

1. Name of School: \_\_\_\_\_

2. Address of School: \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

3. Telephone: (\_\_\_\_) \_\_\_\_\_

4.a. School Ownership: Sole Proprietor  Partnership  Corporation   
 Other  \_\_\_\_\_ (Please check one.)

b. Name and address of proprietor, partnership, corporation or association if different from school name.

\_\_\_\_\_

\_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

c. If the school is owned by an individual or a partnership, list the name(s) and home address(es) of the owner(s). If the school is owned by a corporation or association, list the name(s) and home address(es) of the president, vice-president, secretary and treasurer.

Name	Address	Title

(If more space is needed, please use a plain sheet of paper.)

5. Name of Director or Chief Administrator of School: \_\_\_\_\_

(Please Note: This person must maintain a knowledge of Virginia's polygraph examiner regulations and is the person the Department of Commerce will contact to investigate complaints, arrange for inspections, etc.)

6. Required School Curriculum (must total at least 240 hours):

Subject	Hours
Polygraph Theory _____	
Examination Techniques and Question Formulation _____	
Polygraph Interrogation _____	
Case Observation _____	
Polygraph Case Practice _____	
Chart Interpretation _____	
Legal Aspects of Polygraphy _____	
Physiological Aspects of Polygraphy _____	
Psychological Aspects of Polygraphy _____	
Instrumentation _____	
History of Polygraph _____	
Reviews and Examinations _____	
<b>TOTAL HOURS</b>	

7. Instructors — Attach completed Instructor Qualification Form for each.

Name	Subjects to be Taught

(If more space is needed, please use a plain sheet of paper.)

8. Certification of Compliance

I, \_\_\_\_\_, the Director or Chief Administrator of \_\_\_\_\_  
(Name of School)  
 certify that I have presented true statements throughout this application form and its attachments to the best of my knowledge and belief. I agree to maintain a knowledge of Virginia Polygraph Examiner Regulations, to cooperate with the Department of Commerce in any investigation or inspection and to at all times comply with Virginia Polygraph Examiner Regulations.

\_\_\_\_\_  
Signature

9. Affidavit

State of \_\_\_\_\_  
 County or City of \_\_\_\_\_  
 The undersigned being duly sworn deposes and says that he is the person who executed this application, that statements herein contained are true to the best of his knowledge and belief, that he has not suppressed any information that might affect this application and that he has read and understands this affidavit.

\_\_\_\_\_  
Signature  
 Subscribed and sworn to before me this \_\_\_\_\_ day  
 of \_\_\_\_\_, 19\_\_\_\_\_  
 \_\_\_\_\_  
Signature of Notary Public  
 My Commission expires: \_\_\_\_\_

Commonwealth of Virginia  
**DEPARTMENT OF COMMERCE**  
 Polygraph Section  
 3600 West Broad Street  
 Richmond, Virginia 23230-4917  
**INSTRUCTOR QUALIFICATION FORM**

NAME \_\_\_\_\_  
Last First Middle

ADDRESS \_\_\_\_\_  
City State Zip

TEACHING CERTIFICATE HELD (if any) \_\_\_\_\_

SUBJECTS YOU WILL TEACH \_\_\_\_\_  
 \_\_\_\_\_

EDUCATION:

Name and Address of School	Degree Earned	Date Degree Awarded

EMPLOYMENT:

Name and Address of Employer	Dates of Employment	Brief Job Description

I certify that the foregoing statements and information are correct to the best of my knowledge and belief.

\_\_\_\_\_  
(Signature of School Director)
\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Signature of Instructor)
\_\_\_\_\_  
(Date)

For Office Use Only:

Check No.									
	Amount								
		Class							
			Date						



COMMONWEALTH OF VIRGINIA  
 DEPARTMENT OF COMMERCE  
 POLYGRAPH SECTION

3600 WEST BROAD STREET, RICHMOND, VA 23230

APPLICATION FOR LICENSE AS POLYGRAPH EXAMINER—FEE \$125.00  
 MAKE CHECK OR MONEY ORDER PAYABLE TO: TREASURER OF VIRGINIA

- (1) Legal name of applicant \_\_\_\_\_  
(LAST) (FIRST) (MIDDLE)  
 Social Security Number \_\_\_\_\_ Date of Birth \_\_\_\_\_
- (2) Legal residence \_\_\_\_\_
- (3) Date of Examination applied for: \_\_\_\_\_
- (4) Name and address of Licensed Examiner who supervised your Internship:  
 \_\_\_\_\_  
 \_\_\_\_\_

State of \_\_\_\_\_  
 County or City of \_\_\_\_\_ ss.

The undersigned being duly sworn deposes and says that he is the person who executed this application, that the statements herein contained are true, that he has not suppressed any information that might affect this application, and that he has read and understands this affidavit.

Signature of applicant:  
 \_\_\_\_\_  
 Subscribed and sworn to before me this \_\_\_\_\_  
 day of \_\_\_\_\_, 19 \_\_\_\_\_  
 Signature of Notary Public:  
 \_\_\_\_\_  
 My commission expires:  
 \_\_\_\_\_

# Final Regulations

## DEPARTMENT OF EDUCATION (STATE BOARD OF)

Title of Regulation: VR 270-04-0015. Secondary School Transcript.

Statutory Authority: § 22.1-16 of the Code of Virginia.

Effective Date: May 25, 1988

### Summary:

*Part I contains definitions of words and terms used in the regulations.*

*Part II contains general regulations pertaining to the secondary school transcript and school profile data sheet requirements. The Virginia State Board of Education approved regulations governing secondary school transcript at its regularly scheduled board meeting held on March 18, 1988. It is the intent of the board that this transcript shall become effective with seventh grade students who elect secondary courses for credit in the 1988-89 school year.*

*The purpose of approving regulations governing secondary school transcript is to provide colleges, universities, and prospective employers the essential information to make admission and hiring decisions. Regulations governing secondary school transcript would require each school division and secondary school to provide pertinent student information, thus simplifying the process for admissions officers and providing every student an equal opportunity.*

*Localities have two options for the secondary school transcript format. They may use the Department of Education model or develop their own format following board regulations. Transcripts developed locally must be approved by the Department of Education. No standard format is required.*

*A secondary school profile data sheet, that includes the required information, shall be attached to each student transcript sent to colleges, universities, and prospective employers. Additional information may be added. No standard format is required.*

VR 270-04-0015. Secondary School Transcript.

### PART I. DEFINITIONS.

#### § 1.1. Definitions.

*The following words and terms, when used in these regulations, shall have the following meaning, unless the context clearly indicates otherwise:*

*"Accelerated course" means a course that can be completed in less than the normal amount of time; the process of progressing through the school grades at a rate*

*faster than that of the average student, either by skipping grades or by rapidly mastering the work of one course and moving on to the next higher course.*

*"Advanced course" means a course that presents material and concepts beyond the introductory or the elementary; a course that carries on from an introductory or elementary course given in the same school.*

*"Advanced placement (AP) course" means a [ program of studies for the college bound student by offering college level courses in the secondary school, encouraging independent preparation for advanced placement examinations, and permitting talented high school students to take college courses in nearby institutions of higher education course with a syllabus equivalent to the relevant advanced placement syllabus disseminated by the Educational Testing Service ].*

*"Assessment component" means any of the means by which one obtains information on the progress of the learner and the effectiveness of instruction; quantitative data, objective measures, subjective impressions, tests, and observations may all serve as instruments for deciding whether instructional objectives have been attained.*

*"Credit" means official certification of the completion of a course of study; a unit for expressing quantitatively the amount of content of a course of instruction, especially with reference to the value of the course in relation to the total requirements for a degree or certificate.*

*"Curriculum" means an official guide prepared for use by administrators, supervisors, and teachers of a particular school or school system as an aid to teaching in a given subject or area of study for a given grade; includes the goals and objectives of the course, the expected outcomes, assessment component, and the scope and nature of the materials to be studied.*

*"Grade point average" means a measure of average scholastic success in all school subjects taken by a student during a certain term or semester, or accumulated for several terms or semesters; obtained by dividing grade points by hours of course work taken.*

*"Honors course" means a course, at the high school level [ , ] that limits enrollment to exceptionally capable students; provides for independent or tutorial work, places the responsibility for student progress more on the student than on the teachers, emphasizes reading and self-instruction.*

*"Secondary school profile data" means information given in a summative format of a particular secondary school, such as location, description, achievement data, definition of curriculum, grading scale, grade distribution, weighted grades, rank in class, graduation requirements, and explanation of advanced, accelerated, advanced placement, honors courses.*

"Secondary course" means a course of study planned especially for [ ~~young~~ ] people of ages approximately 12 to 17, in which the emphasis tends to shift from mastery of basic tools of learning, expression, and understanding to the use and extension of the tools in exploring areas of thought and living, and in exploring and acquiring information, concepts, intellectual skills, attitudes, social, physical, and intellectual ideas, and habits, [ ~~understandings~~ understanding ] , and [ ~~appreciations~~ appreciation ] .

"Secondary school transcript" means an official list of all secondary courses taken by a student, showing the final grade received for each course, with definitions of the various grades given.

"Weighted course" means advanced placement, advanced or honors level courses [ ~~that in which~~ ] credit is increased usually by reason of quality of work accomplished.

## PART II. GENERAL REGULATIONS.

§ 2.1. The [ ~~standardized~~ ] secondary school transcript [ regulations ] shall become effective with seventh grade students who take secondary courses for credit beginning in the 1988-89 school year.

§ 2.2. [ ~~Schools may add additional information on the reverse side of the transcript.~~ Localities have two options for the secondary school transcript format. They may use the Department of Education model or develop their own following board regulations. Transcripts developed locally shall be approved by the Department of Education. No standard format is required. The required information is as follows:

1. Name of school division;
2. Student legal name;
3. Student number;
4. Birthdate;
5. Sex;
6. Home address;
7. Home telephone number;
8. Graduation date;
9. Type of diploma;
10. Name of school(s) student attended each year;
11. Number of days absent within given school year;
12. Coursework listed by year with grades;

13. Total credits earned by year;
14. Credits to date;
15. Grade point average;
16. Credit summary for entire school experience;
17. Key to symbols and abbreviations used to denote accelerated, advanced, advanced placement, honors, and summer school courses;
18. Passing score;
19. Rank in class with given number of semesters used for computation;
20. Final driver education grade;
21. Test record, to include results on college-performance-related standardized tests such as College Entrance Examination Board or equivalent;
22. Signature and title of school official;
23. Date of school official signature;
24. School name;
25. Telephone number of school;
26. Department of Education code number. ]

[ ~~§ 2-2. Schools shall use the printed form or a computerized version. ]~~

[ ~~§ 2-4. § 2.3. ] A secondary school profile data sheet, that includes the required information, shall be attached to each student transcript sent to colleges, universities, and prospective employers. Schools may furnish additional information. No standard format is required. The required information is as follows:~~

1. Name of guidance director or counselor;
2. Name, address, and telephone number of school;
3. Description - school/community;
4. Achievement data to include College [ ~~Entry~~ Entrance ] Examination Board/Scholastic Aptitude Test Code, mean Scholastic Aptitude Test score for the graduating class, average Scholastic Aptitude Test/American College Test scores for the school in comparison with Virginia and [ ~~national~~ nation ] ;
5. Definition of curriculum;
6. Grading scale;
7. Grade distribution;



# Final Regulations

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8. *Explanation of advanced placement, advanced, accelerated, and honors courses;*

9. *Weighted grades, [ ~~explain~~ explanation of ] weighting [ ~~of~~ ] courses and the computation;*

10. *Rank in class:*

- a. List courses excluded from computation;*
- b. Explanation of computation of Pass/Fail courses;*
- c. Student groups included/excluded from ranking in class;*

11. *Graduation requirements.*

*[ ~~§ 2.5.~~ § 2.4. ] All advanced placement (AP) courses shall be weighted for computing [ ~~computation of student~~ the student's ] grade point average.*

*[ ~~§ 2.6.~~ § 2.5. ] Advanced, accelerated, [ ~~or~~ advanced placement, and ] honors level courses to be weighted shall have the following elements:*

- 1. Defined curriculum;*
- 2. Standards that exceed normal course requirements;*
- 3. Defined assessment component.*

*[ § 2.7. Localities may make slight modifications to the standardized secondary school transcript. Changes shall be sent to the Department of Education for approval. ]*



# Final Regulations

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## DEPARTMENT OF HEALTH (STATE BOARD OF)

### REPRINT

**Title of Regulation: VR 355-39-01. Regulations Governing Eligibility Standards and Charges for Medical Care Services (Fee Scale Only).**

**Statutory Authority: § 32.1-12 of the Code of Virginia.**

**Effective Date: April 26, 1988**

Editor's Note: This regulation was previously published as a final regulation in VA.R. 4:13 pp. 1221-1224 March 28, 1988; however, the incorrect version was printed. The correct version of the regulation is found on the following pages.

**REGISTRAR'S NOTICE:** This regulation is excluded from Article 2 of the Administrative Process Act in accordance with § 9-6.14:4.1 C 1 of the Code of Virginia, which excludes from Article 2 agency orders or regulations fixing rates or prices. The Department of Health will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision.

#### Summary:

*The purpose of this revision to the regulations is to allow the Board of Health to add a follow up/problem visit charge of \$16 to the pediatric service category.*

*In a revision to these regulations effective December 1, 1987, the health department charges were brought in line with third party reimbursement rates when patients have these payment sources. The health department charges had previously been less than the reimbursement rates allowed by Medicare and Medicaid.*

*The pediatric clinic charge was increased from \$20 per visit to \$37 per visit. While \$37 is an appropriate charge for an initial or yearly visit when comprehensive care is given, it is too much to charge when a patient is required to return for follow up care. This \$16 charge is consistent with third party reimbursement rates.*

CHS OPTS MANUAL  
 Section IV

## STATE HEALTH DEPARTMENT CHARGES AND PAYMENT REQUIREMENTS BY INCOME LEVELS

Under the provisions of the State Health Department Eligibility Regulations, promulgated by the authority of Section 32.1-11 and 32.1-12 of the Code of Virginia, and in accordance with the Eligibility Standards and Charges for Medical Care Services as adopted by the State Board of Health, listed below are the charges for medical care services, stating the minimum required payments to be made by patients toward their charges, according to income levels.

MEDICAL CARE SERVICES	MAXIMUM CHARGES PER VISIT (1)	A 0%	B 10%	C 25%	D 50%	E 75%	F 100%
A. Maternity/Gynecology (2)	\$ 20.00	0	\$ 2.00	\$ 5.00	\$ 10.00	\$ 15.00	\$ 20.00
B. Pediatric/Well Baby							
1. Initial/Yearly	\$ 37.00	0	\$ 3.75	\$ 9.25	\$ 18.50	\$ 27.75	\$ 37.00
2. Follow Up/Problem Visit	\$ 16.00*	0	\$ 1.75	\$ 4.00	\$ 8.00	\$ 12.00	\$ 16.00
C. Family Planning (3)							
1. Initial/Annual Visit	\$ 43.00	0	\$ 4.30	\$ 10.75	\$ 21.50	\$ 32.25	\$ 43.00
2. Follow Up/Problem Visit	\$ 20.00	0	\$ 2.00	\$ 5.00	\$ 10.00	\$ 15.00	\$ 20.00
D. General Medical (4)							
1. Initial Visit	\$ 37.00	0	\$ 3.75	\$ 9.25	\$ 18.50	\$ 27.75	\$ 37.00
2. Follow Up/Problem Visit	\$ 20.00	0	\$ 2.00	\$ 5.00	\$ 10.00	\$ 15.00	\$ 20.00
E. Brief Service (5)	\$ 8.50	0	\$ 1.00	\$ 2.25	\$ 4.25	\$ 6.50	\$ 8.50
F. Dental (6)	Medicaid Rates Allowed Statewide	0	10%	25%	50%	75%	100%

(\*) New Charge - Effective April 26, 1988

Rev. 3/88e

### Charges and Payments Requirements by Income Levels

MEDICAL CARE SERVICES	MAXIMUM CHARGES PER VISIT	A 0%	B 10%	C 25%	D 50%	E 75%	F 100%
G. Special Services (7)							
1. Without Eligibility Determination							
a. Venipuncture (for tests except Communicable Disease Investigations)	\$ 7.00	0	FLAT RATE STATEWIDE (8)				
b. Pregnancy Testing	FREE	0	STATEWIDE				
c. Administration of Prescribed Medication and/or Non-Routine Immunizations PLUS: Cost of Vaccine when furnished by Health Department	\$ 3.50	0	FLAT RATE STATEWIDE				
d. Blood Pressure Check	FREE	0	STATEWIDE				
e. PPD/Tuberculin Testing	\$ 3.15	0	FLAT RATE STATEWIDE				
f. Radiological Examination of Chest	\$18.00	0	FLAT RATE STATEWIDE				
g. Activities of Daily Living (ADL) Services	\$ 8.00 Per Hour(9)	0	FLAT RATE STATEWIDE				

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# Final Regulations

## Charges and Payment Requirements By Income Levels

CHS OPTS MANUAL Section IV	MEDICAL CARE SERVICES	MAXIMUM CHARGES PER VISIT	A	B	C	D	E	F
			0%	10%	25%	50%	75%	100%
2.	With Eligibility Determination a. Pharmacy Professional Fee PLUS: Cost of Drugs/ Rabies Vaccine	\$ 3.50	0	\$ .50	\$ 1.00	\$ 1.75	\$ 2.75	\$ 3.50
		COST	0	10%	25%	50%	75%	100%
	b. Other X-Ray Services (10)	Medicaid Rates Allowed Statewide	0	10%	25%	50%	75%	100%
	c. Other Laboratory Services (11)	Medicaid Rates Allowed Statwide	0	10%	25%	50%	75%	100%
	d. Colposcopy Services							
	1. Colpo with Biopsy	\$ 86.00	0	\$ 8.75	\$ 21.50	\$ 43.00	\$ 64.50	\$ 86.00
	2. Colpo with Biopsy and Cryosurgery	\$105.00	0	\$ 10.50	\$ 26.25	\$ 52.50	\$ 78.75	\$105.00
	H. Other Services							
	1. Childrens Speciality Services (12)	\$ 60.00 Annually	0	\$ 6.00	\$ 15.00	\$ 30.00	\$ 45.00	\$ 60.00
	2. Child Development Clinics							
	a. Initial Evaluation	\$249.00	0	\$ 25.00	\$ 62.50	\$124.50	\$186.75	\$249.00
	b. Follow Up Visit (13)							
	1. Pediatric Unit	\$ 9.00	0	\$ 1.00	\$ 2.25	\$ 4.50	\$ 6.75	\$ 9.00
	2. Psychologist Unit	\$ 6.00	0	\$ .75	\$ 1.50	\$ 3.00	\$ 4.50	\$ 6.00
	3. Social Work Unit	\$ 6.00	0	\$ .75	\$ 1.50	\$ 3.00	\$ 4.50	\$ 6.00
	4. Nursing Unit	\$ 6.00	0	\$ .75	\$ 1.50	\$ 3.00	\$ 4.50	\$ 6.00

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## Charges and Payments by Income Levels

### FOOTNOTES

1. Maximum Charges Per Visit
  - a. If service is obtained through contract with providers outside the Department, charges will be those charged the Department in the contract, instead of the listed rates.
  - b. Health Department maximum charges shall be: Income A - Free, Income B - 10% of charge, Income C - 25% of charge, Income D - 50% of charge, Income E - 75% of charge, and Income F - full charge. See Income Levels Schedules in the Eligibility Section of the CHS Operations Manual.
2. Maternity/Gynecology
  - a. Medicaid maternity patients will be charged one clinic fee per month regardless of the number of visits incurred within that month. This policy is consistent with Medicaid's reimbursement rates to the private sector.  
Non-Medicaid maternity patients will also be charged one clinic fee per month regardless of the number of visits made within that month.
  - b. Gynecology patients will be charged a fee for each clinic visit made.
3. Family Planning
 

For non-Medicaid Family Planning patients, the contraceptive method selected is included in the cost of the initial and annual visits.

If the patient has Medicaid, billing for services will be made to Medicaid and not to Title XX.
4. General Medical
  - a. An "Initial Visit" is defined as the first time an individual is seen, when a patient record is established and a comprehensive evaluation is done by the physician.
  - b. A "Follow Up Visit" is defined as any subsequent visit to a health department clinic.
5. Brief Service
 

A "Brief Service" is defined as an encounter with a patient who is required to return for specific follow up of a medical condition. This can be used in conjunction with all specialty clinics.

Rev. 11/87

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## Charges and Payments by Income Levels

CHS OPTS MANUAL  
Section IV

### FOOTNOTES

6. Dental  
The charges for dental services are to be those that are the Medicaid allowed rates for dental procedures.
7. Special Services  
When a patient cannot pay the full flat rate charge for the service in this group, an eligibility determination should be done to determine whether the patient is medically indigent or what portion of the charges the patient must pay.
8. Flat Rate Statewide  
Charges for services are to be applied on a statewide basis, unless the patient demonstrates an inability to pay for the service, through an eligibility determination.
9. ADL Services  
ADL services are provided to patients who do not qualify for Medicaid benefits. This charge per hour is one dollar more than Medicaid's Personal Care Program. All ADL service collections are to be charged to the General Medical subprogram activity.
10. Other X-Ray Services  
X-Ray procedure charges shall be the actual cost of the procedure, not to exceed the Medicaid allowed rates for that procedure.
11. Other Laboratory Services  
Laboratory charges shall be the actual cost of the procedure not to exceed the Medicaid allowed rates for that procedure.

10e

## Charges and Payments by Income Levels

CHS OPTS MANUAL  
Section IV

### FOOTNOTES

12. Children's Specialty Services  
Refer to the SCC Program Guidelines for patient criteria and charges.
13. Child Development Clinics  
Follow Up Visits  
A unit of service equals 0.5 hours of face-to-face contact between the provider and the recipient of the service.

10f

# Final Regulations

## DEPARTMENT OF TRANSPORTATION (COMMONWEALTH TRANSPORTATION BOARD)

Title of Regulation: VR 385-01-5. Hazardous Materials Transportation Rules and Regulations at Bridge-Tunnel Facilities.

Statutory Authority: §§ 33.1-12 and 33.1-13 of the Code of Virginia.

Effective Date: May 25, 1988

**REGISTRAR'S NOTICE:** Due to its length, the Hazardous Materials Transportation Rules and Regulations at Bridge-Tunnel Facilities filed by the Commonwealth Transportation Board are not being published. However, in accordance with § 9-6.14:22 of the Code of Virginia a summary in lieu of full text is being published. The full text of the regulation is available for inspection at the offices of the Registrar of Regulations and the Department of Transportation.

These regulations were previously published as final regulations in V.A.R. 4:11 pp. 1091-1092 February 29, 1988, to become effective March 30, 1988; however, the agency requested that the regulations be temporarily withdrawn March 30, 1988. The withdrawal notice was published in V.A.R. 4:14 p. 1528 April 11, 1988. These regulations will become effective May 25, 1988.

### Summary:

*The Virginia Department of Transportation, in conjunction with Virginia Polytechnic Institute and State University, has developed a handbook entitled "Hazardous Materials, Transportation Rules and Regulations at Virginia Bridge-Tunnel Facilities."*

*The purpose of this manual is to provide the current rules and regulations, including operating requirements, for the transport of hazardous materials through Virginia's Bridge-Tunnel facilities. The manual and its contents are consistent with the Commonwealth of Virginia's regulations and in conformance with Department of Transportation regulations as identified in the Code of Federal Regulations (Title 49).*

*Further, the manual provides interested parties with detailed and specific information concerning the regulations established by the Virginia Department of Transportation and the Chesapeake Bay Bridge-Tunnel District governing the transportation of hazardous materials, as well as a useful table (alphabetized) of hazardous materials transported through the Commonwealth, and the restrictions governing their transport.*

*No major changes were made to this document that would alter the basic meaning or intent of the regulation as proposed.*

## STATE WATER CONTROL BOARD

Title of Regulation: VR 680-14-02. Policy for Nutrient Enriched Waters.

Statutory Authority: § 62.1-44.15(10) of the Code of Virginia.

Effective Date: May 25, 1988

### Background:

*Water quality standards and criteria consist of narrative statements that describe water quality requirements in general terms and numerical limits for specific physical, chemical and biological characteristics of water. 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.*

### Summary:

*The State Water Control Board recognizes that the quality of the state's surface waters, particularly those in the Chesapeake Bay drainage area, are being affected by the presence of excessive quantities of nutrients. Therefore, the board has established a water quality standard for designating as "nutrient enriched waters" those surface waters of the Commonwealth showing evidence of degradation attributable to the presence of excessive amounts of nutrients. A policy has also been established for the control of certain discharges of phosphorus from point sources affecting state waters that have been designated as "nutrient enriched waters" in the standard.*

VR 680-14-02. Policy for Nutrient Enriched Waters

### § 1. Purpose.

*This policy provides for the control of discharges of [ phosphorus nutrients ] from point sources affecting state waters that have been designated "nutrient enriched waters" in VR 680-21-07.03.*

### § 2. Authority.

*The board has adopted this policy under the authority of §§ 62.1-44.15(3), 62.1-44.15(10) and 62.1-44.15(14) of the Code of Virginia.*

### § 3. Strategy for "nutrient enriched waters."

*As specified herein, the board shall reopen the NPDES permits of certain point source dischargers to "nutrient enriched waters" and shall impose effluent limitations on [ phosphorus nutrients ] in the discharges authorized by those permits and certain new permits.*

A. [ 1. ] All dischargers authorized by NPDES permits issued on or before July 1, 1988, to discharge 1 MGD or more to "nutrient enriched waters" shall be required to meet a monthly average total phosphorus effluent limitation of 2 [ ~~mg/liter~~ mg/l ] as quickly as possible and in any event within three years following modification of the NPDES permit.

[ 2. At the time of modification of the NPDES permit, any discharger who voluntarily accepts a permit to require installation and operation of nitrogen removal facilities to meet a monthly average total nitrogen effluent limitation of 10 mg/l for the months of April through October shall be allowed an additional year to meet the phosphorus effluent limitation in § 3 A.1. ]

[ B. All dischargers to nutrient enriched waters who at the time of designation of the "nutrient enriched waters" are subject to effluent limitations more stringent than 2 mg/liter monthly average total phosphorus shall be required to continue to meet the more stringent phosphorus limitation. ]

[ C. B. ] All new source dischargers as defined in Regulation 6 with a permit issued after July 1, 1988 and a design flow greater than or equal to 0.05 MGD who propose to discharge to "nutrient enriched waters" shall be required to meet a monthly average total phosphorus effluent limitation of 2 [ ~~mg/liter~~ mg/l ].

[ C. This policy shall not be construed to relax any effluent limitation concerning a nutrient that is imposed under any other requirement of state or federal law. No time extensions outlined in § 3 A.2 for installation and operation of nitrogen removal facilities shall be granted to a discharger if such an effluent limitation or a time extension is already imposed under any other requirement of state or federal law or regulation. ]

§ 4. [ A discharge of phosphorus to surface waters of the Commonwealth may be deemed to pose a threat to the environment pursuant to § 6.5(d)(4) of Regulation No. 6. Whenever the board determines that a permittee has the potential for discharging monthly average total phosphorus concentrations greater than or equal to 2 mg/l or monthly average total nitrogen concentrations greater than or equal to 10 mg/l to "nutrient enriched waters," the board may reopen the NPDES permit to impose monitoring requirements for nutrients in the discharge. ]

§ 5. The board anticipates that, following implementation of the foregoing requirements and evaluation of effects of this policy and of the results of the nonpoint source control programs, further limitations on discharges of phosphorus or of other nutrients may be necessary to control undesirable growths of aquatic plants.

§ 6. The board may entertain petitions from adjoining states to consider rulemakings to control nutrients

entering tributaries to "nutrient enriched waters" of the adjoining state.

\* \* \* \* \*

Title of Regulation: VR 680-21-07.03. Nutrient Enriched Waters - Water Quality Standards.

Statutory Authority: § 62.1-44.15(3) of the Code of Virginia.

Effective Date: May 25, 1988

NOTICE: The following regulation was initially proposed in V.A.R. 4:3, November 9, 1987 as VR 680-21-07. Special Standards and Designations. The State Water Control Board is proposing an additional amendment to this regulation as printed in the proposed section of this Register.

Background:

Water quality standards and criteria consist of narrative statements that describe water quality requirements in general terms and numerical limits for specific physical, chemical and biological characteristics of water. 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.

Summary:

The State Water Control Board recognizes that the quality of the state's surface waters, particularly those in the Chesapeake Bay drainage area, are being affected by the presence of excessive quantities of nutrients. Therefore, the board has established a water quality standard for designating as "nutrient enriched waters" those surface waters of the Commonwealth showing evidence of degradation attributable to the presence of excessive amounts of nutrients. A policy has also been established for the control of certain discharges of nutrients from point sources affecting state waters that have been designated as "nutrient enriched waters" in the standard.

VR 680-21-07.03. Nutrient Enriched Waters - Water Quality Standards.

§ 1. Purpose.

The board recognizes that nutrients are contributing to undesirable growths of aquatic plant life in surface waters of the Commonwealth. This standard establishes a designation of "nutrient enriched waters." [ Designations of surface waters of the Commonwealth as "nutrient enriched waters" are determined by the board based upon an evaluation of the historical water quality data for one or more of the following indicators of nutrient enrichment: chlorophyll "a" concentrations, dissolved oxygen



# Final Regulations

fluctuations, and concentrations of total phosphorus. ]

## § 2. Authority.

This standard is adopted under the authority of §§ 62.1-44.15(3) and 62.1-44.15(10) of the Code of Virginia.

## § 3. Designation of nutrient enriched waters.

A. The following state waters are hereby designated as "nutrient enriched waters":

1. Smith Mountain Lake [ \* ] and all tributaries of the impoundment upstream to their headwaters.

2. Lake Chesdin from its dam upstream to where the Route 360 bridge (Goodes Bridge) crosses the Appomattox River, including all tributaries to their headwaters that enter between the dam and the Route 360 bridge.

3. South Fort Rivanna Reservoir and all tributaries of the impoundment upstream to their headwaters.

4. Peak Creek from its headwaters to its mouth (confluence with Claytor Lake), including all tributaries to their headwaters.

5. Aquia Creek from its headwaters to the state line.

6. Fourmile Run from its headwaters to the state line.

7. Hunting Creek from its headwaters to the state line.

8. Little Hunting Creek from its headwaters to the state line.

9. Gunston Cove from its headwaters to the state line.

10. Belmont [ ~~Bay~~ and Occoquan Bays ] from [ ~~its~~ their ] headwaters to the state line.

11. Potomac Creek from its headwaters to the state line.

12. Neabsco Creek from its headwaters to the state line.

13. Williams Creek from its headwaters to its confluence with Lower Machodoc Creek.

14. Tidal freshwater Rappahannock River from the fall line to Buoy 44, near Leedstown, Virginia, including all tributaries [ (but excluding the mainstem of the Rappahannock River itself) ] to their headwaters that enter the tidal freshwater Rappahannock River.

15. Estuarine portion of the Rappahannock River from Buoy 44, near Leedstown, Virginia, to the mouth of

the Rappahannock River (Buoy 6), including all tributaries to their headwaters that enter the estuarine portion of the Rappahannock River.

16. Estuarine portion of the Mattaponi River from Clifton, Virginia, and estuarine portion of the Pamunkey River from Sweet Hall Landing, Virginia to West Point, Virginia, and the York River from West Point, Virginia, to the mouth of the York River (Tue Marsh Light) including all tributaries to their headwaters that enter the estuarine portions of the Mattaponi River [ (but excluding the mainstem of the Mattaponi River itself) ], the Pamunkey River [ (but excluding the mainstem of the Pamunkey River itself) ] and the York River.

17. Tidal freshwater James River from the fall line to the confluence of the Chickahominy River (Buoy 70) including all tributaries [ (but excluding the mainstem of the James River itself) ] to a distance five river miles above their fall lines that enter the tidal freshwater James River.

18. Estuarine portion of the James River from its confluence with the Chickahominy River (Buoy 70) to the mouth of the James River (Buoy 25), including all tributaries to their headwaters.

19. Chesapeake Bay and its small coastal basins from the Virginia state line to the mouth of the Bay (a line from Cape Henry drawn through Buoys 3 and 8 to Fishermans Island), and its tidal tributaries listed above, and the Mattaponi River upstream of Clifton, Virginia, and the Pamunkey River upstream of Sweet Hall Landing, Virginia.

B. Whenever any water body is designated as "nutrient enriched waters," the board shall modify the NPDES permits of point source dischargers into the "nutrient enriched waters" as provided in the board's Policy for Nutrient Enriched Waters (VR 680-14-02).

[ \*When the word "tributaries" is used in this standard, it does not refer to the mainstem of the water body that has been named. ]

\* \* \* \* \*

Title of Regulation: VR 680-21-08. River Basin Section Tables - Water Quality Standards.

Statutory Authority: § 63.1-44.15(3) of the Code of Virginia

Effective Date: May 25, 1988

### Background:

Water quality standards and criteria consist of narrative statements that describe water quality requirements in general terms and numerical limits for specific physical, chemical and biological

*characteristics of water. 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 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 revised 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, or cancelled.*

**Summary:**

*The amendment establishes as public water supplies under the requirements for public water supplies in the Water Quality Standards those waters serving as water supplies for Austinville, Tazewell, Wintergreen, Fort Monroe and the Quantico Marine Corps Base. The basin and table descriptions are amended to designate these waters as public water supplies.*

VR 680-21-08. River Basin Tables - Water Quality Standards.

Water Quality Standards Amendments  
Public Water Supplies to be Added to Water Quality Standards.

VR 680-21-08.4 POTOMAC RIVER BASIN  
Potomac River Subbasin

SEC.	SECTION DESCRIPTION	CLASS	SP.STDS.
5b	Chopawamsic Creek and its tributaries above the Quantico Marine Base water supply dam intakes at the Gray and Breckenridge Reservoirs to their headwaters.	III	PWS,b

VR 680-21-08.7 JAMES RIVER BASIN  
(MIDDLE)

SEC.	SECTION DESCRIPTION	CLASS	SP.STDS.
10q	Allen Creek and its tributaries from the Wintergreen Mtn. Village's raw water intake at Lake Monocan to a point 5 miles upstream.	III	PWS

VR 680-21-08.17 CHESAPEAKE BAY,  
ATLANTIC OCEAN AND

SMALL COASTAL BASINS

SEC.	SECTION DESCRIPTION	CLASS	SP.STDS.
2f	Brick Kiln Creek and its tributaries from Fort Monroe's raw water intake (at the Big Bethel Reservoir) to a point 5 miles upstream.	III	PWS
VR 680-21-08.19 NEW RIVER BASIN			
SEC.	SECTION DESCRIPTION	CLASS	SP.STDS.
11	Cox Branch and its tributaries from Tazewell's raw water intake at the Tazewell Reservoir (river mile 1.6) to its headwaters.	VI ii	PWS
21	New River and its tributaries from inclusive of the Austinville Water and Sewer Authority's intake, New Jersey Zinc Company's raw water intake, to a point 5 miles upstream, including Powder Mill Branch and its tributaries from and the Wythe-Bland Water Authority's Ivanhoe raw water intake to a point 5 miles upstream above the intakes .	IV	PWS

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# EMERGENCY REGULATION

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DEPARTMENT OF HEALTH (STATE BOARD OF)

/s/ Gerald L. Baliles  
Governor

NOTICE AND DESCRIPTION OF SHELLFISH AREA  
CONDEMNATION NUMBER 23, JAMES RIVER -  
OPPOSITE FORT EUSTIS

Filed:

EFFECTIVE 11 April 1988 to 8 April 1989

/s/ Joan W. Smith  
Registrar of Regulations

Pursuant to §§ 28.1-178, 32.1-13, 32.1-20 and 9-6.14:4.1(C)(5),  
of the Code of Virginia:

Date and Time: April 11, 1988 - 1:28 p.m.

1. The "Notice and Description of Shellfish Area Condemnation Number 23, James River - Opposite Fort Eustis, Effective 25 March 1987" is cancelled.
2. Condemned Shellfish Area Number 23, James River - Opposite Fort Eustis, Effective 11 April 1988 is established. It shall be unlawful for any person, firm, or corporation to take shellfish from this area for any purpose except by permit granted by the Marine Resources Commission, as provided in Title 28.1, Chapter 7, § 28.1-179, Code of Virginia. The boundaries of this area are shown on map titled "James River - Opposite Fort Eustis, Condemned Shellfish Area Number 23, 8 April 1988" which is a part of this notice.
3. Because the General District Court of Newport News on 8 April 1988 declared the establishment of Shellfish Area Condemnation Number 23 defective, because this area is subject to the effluent from the Fort Eustis sewage treatment facility and therefore likely to be polluted and is not a safe area from which to take shellfish for direct marketing, and because shellfish exist in such area, an emergency exists and the immediate promulgation of this regulation is needed to protect the public health.

## BOUNDARY OF CONDEMNED AREA

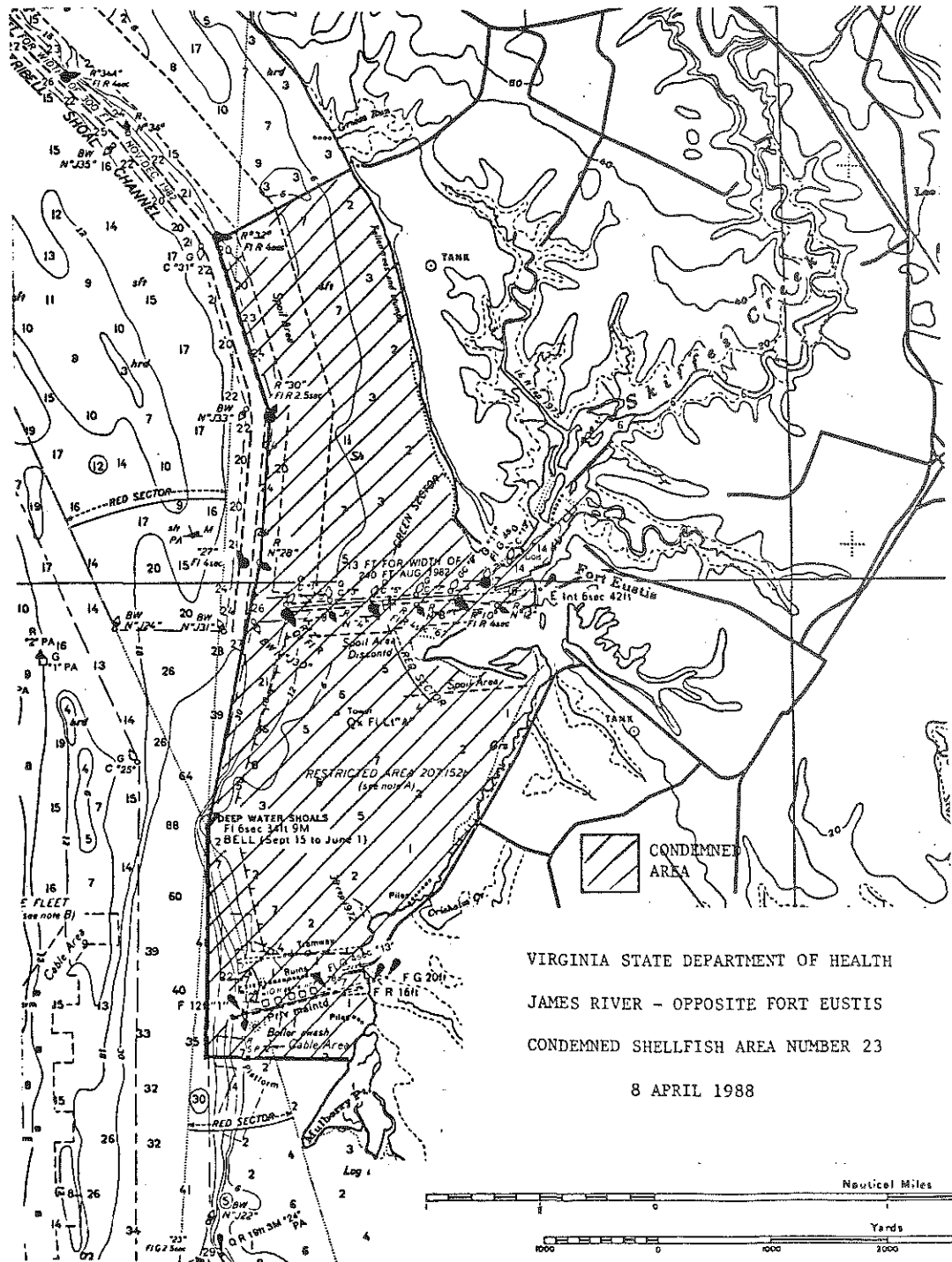
The condemned area includes that portion of the James River and its tributaries bounded by a line drawn due west from the shore through the platform located approximately 400 yards southerly of navigational marker F 12 ft "1" to a point approximately 1250 yards west of the channel as marked in order by Deep Water Shoals Light and buoys N "23," R "30" and Fl R "32"; thence northeasterly to the shore, on a line passing through the house located at the end of the road approximately 300 yards south of Grices Run; thence southerly along the shore to the point of beginning.

Recommended by:

/s/ Robert B. Stroube, M.D.  
Director, Division of Shellfish Sanitation

Approved by:

/s/ C. M. G. Buttery, M.D.  
State Health Commissioner



# Emergency Regulation

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## DEPARTMENT OF MEDICAL ASSISTANCE SERVICES (BOARD OF)

Title of Regulation: VR 460-03-2.6104. Post Eligibility Treatment of Income.

Statutory Authority: §§ 32.1-324 and 32.1-325 of the Code of Virginia.

Effective Date: April 12, 1988 through April 12, 1989

### Background:

On February 8, 1988, the United States Department of Health and Human Services issued final regulations that specify how much of an institutionalized individual's income must be applied to the cost of care in a medical facility, and required that States electing to use the special income eligibility standard for institutionalized individuals apply that standard beginning with the first day of a period of not less than thirty consecutive days of institutionalization. These final federal regulations are to be effective April 8, 1988.

Current federal regulations at 42 CFR §§ 435.733 and 435.832 require that when an individual in an institution is determined to be eligible for Medicaid, his or her income, except for a small amount for personal needs, must be used to partially pay for the cost of institutional care. The Medicaid program pays the remaining amount at the Medicaid reimbursement rate. In determining the amount of the patient's income which must be applied to the institutional bill, existing regulations require that States deduct from a recipient's income bills for medical expenses that are not covered in the State Medicaid Plan. For example, Medicaid does not cover the costs of dentures or eyeglasses for adults. Therefore, current regulations require that the patient be allowed to pay for these items from his own income. Medicaid's portion of the total cost of care increases as the Medicaid recipient has less income to apply to the nursing home bill.

In addition, there is a requirement that the patient be allowed to retain income to pay for bills for covered services that exceed limits set by the State on amount, duration or scope or for bills incurred during a period of ineligibility for Medicaid.

States complained that the existing regulations required them to deduct the cost of medical services that were not covered in their Medicaid plans. Thus States have been bearing the costs of medical services that they have expressly declined to cover or which were incurred when individuals did not meet the eligibility requirements.

In early 1985 HCFA issued proposed regulations which reversed its position on the issue. The 1985 regulations proposed to allow States to deduct from an individual's

income none, some, or all of the cost of medical expenses recognized under State law, but not covered in the State's Medicaid Plan, subject to reasonable limits set by the State. In addition, these regulations also propose to allow States to limit the amounts deducted for any medical covered expenses that exceed the benefit limits of the State Plan.

After HCFA received many comments in favor of granting States additional flexibility even beyond the proposed regulations, the final regulations were expanded over those initially proposed and published as final on February 8, 1988 to become effective April 8, 1988.

Virginia's present policy on post eligibility treatment of income fully complies with the new federal regulations. However, because the federal regulations now give the state a number of new options, it is necessary to promulgate regulations containing the present Virginia policy as part of the State Plan effective April 8, 1988. It is not possible to adhere to the public comment procedures of the Administrative Process Act (Code of Virginia § 9-6.14:1 et seq.) and meet the federally required effective date of these regulations. Therefore, the Department of Medical Assistance Services is requesting the Governor's approval to adopt, on an emergency basis, the attached regulations concerning the post eligibility treatment of the income of an institutionalized individual. It is the intent of the Department to proceed through the public comment process by filing proposed regulations with the Registrar as quickly as the regulatory development process allows.

In future months, the Department of Medical Assistance Services will evaluate the additional options presented by these regulations to determine whether other options included in the regulations should be adopted.

### Definition of Emergency:

The Governor is requested to approve the adoption of an emergency regulation in accordance with the Code of Virginia § 9-6.14:4.1(C)(5). This emergency regulation is to become effective April 8, 1988, and to remain in effect for twelve full months or until superseded by final regulations resulting from the Administrative Process Act. Without this approval, the Department will have no regulatory authority after April 8, 1988, for the proper administration of this aspect of the Medicaid program and therefore would be exposed to federal sanction or litigation.

### Approval Sought for VR 460-03-2.6104

Approval of the Governor is sought for the emergency modification of the Medicaid regulation in accordance with the Code of Virginia § 9-6.14:4.1(C)(5) to adopt the following regulation:

# Emergency Regulation

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Medicaid must reduce its payment to the institution by the amount of the patient's gross monthly income that remains after the deductions in items (1) through (5) below. All of the patient's income, including amounts disregarded while determining eligibility, is counted as available toward patient pay. The exception is a Supplemental Security Income (SSI) payment received by a working recipient protected under § 1611(e)(1)(E) of the Social Security Act (see Part I, Chapter B.6). These payments are not counted as available income for patient pay.

Date: April 8, 1988

Filed with:

Joan W. Smith, Registrar of Regulations  
Date and Time: April 12, 1988 - 11:39 a.m.

1. Personal needs allowance of \$30 per month.
2. Allotment for a dependent spouse and/or children at home who have income less than the Medically Needy Standard for an individual.
3. Deduction for the cost of Medicare and other health insurance premiums, deductibles or coinsurance charges that are not subject to payment by a third party.
4. Deduction for the costs of necessary medical or remedial care recognized under State law but not covered under the State plan incurred at a time when the individual is both Medicaid eligible and institutionalized.
5. For single individuals and couples, an amount (in addition to the personal needs allowance) for maintenance of the individual's or couple's home if:
  - a. The amount is deducted for not more than a 6-month period; and
  - b. A physician has certified that either of the individuals is likely to return to the home within that period.

## Implementation:

After the Governor's approval is given, the Department of Medical Assistance Services expects to immediately file this emergency regulation with the Registrar of Regulations for publication in the Register as soon as possible. The effective period of the emergency regulation will be limited to one year or until full compliance with the provisions of the APA process in § 9-6.14:9 of the Code are met. Once filed with the Registrar, this emergency regulation is to become effective April 12, 1988.

Submitted by:

Ray T. Sorrell, Director  
Department of Medical Assistance Services  
Date: April 4, 1988

Approved:

Gerald L. Baliles, Governor of the Commonwealth

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# GOVERNOR

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## GOVERNOR'S COMMENTS ON PROPOSED REGULATIONS

(Required by § 9-6.12:9.1 of the Code of Virginia)

### DEPARTMENT OF LABOR AND INDUSTRY

Title of Regulation: VR 425-01-27. Regulations Governing the Administration of Apprenticeship Programs in the Commonwealth of Virginia, Biennial Program Sponsor Evaluation (XI).

Governor's Comment:

The proposed sponsor evaluation procedure describes the information that the Department of Labor and Industry will gather from sponsors for analysis of the apprenticeship program. Pending further public comments, I have no objection to promulgation of these regulations. I recommend you carefully consider the suggestions made by DPB for structuring the information.

/s/ Gerald L. Baliles  
March 23, 1988

### STATE WATER CONTROL BOARD

Title of Regulation: VR 680-16-03. Upper James River Basin Water Quality Management (1976).

Governor's Comment:

While I have considerable reservations, I am willing to consider the proposed regulation as presented, so long as there are adequate assurances that degradation of water qualities of these waters will not occur. I urge the Board to give careful consideration to any public comments received.

/s/ Gerald L. Baliles  
March 22, 1988

\* \* \* \* \*

Title of Regulation: VR 680-16-17. Rappahannock River Basin Water Quality Management Plan.

Governor's Comment:

The proposed Rappahannock River Basin Water Quality Management Plan establishes guidelines which will ensure that safe water quality will be reached and maintained for the approximately 146,000 persons residing in the Rappahannock River Basin. I have no objections to its promulgation.

/s/ Gerald L. Baliles  
March 22, 1988

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# GENERAL NOTICES/ERRATA

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<b>Symbol Key †</b>
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† Indicates entries since last publication of the Virginia Register
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## DEPARTMENT FOR THE AGING

### Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Department for the Aging intends to consider promulgating regulations entitled: **Area Agencies on Aging**. The purpose of the proposed regulation is to set forth the methods for (i) designating a planning and service area and an area agency on aging and (ii) suspending or terminating the designation of an area agency on aging.

Statutory Authority: § 2.1-373 A.7 of the Code of Virginia.

Written comments may be submitted until July 20, 1988.

**Contact:** J. James Cotter, Director, Division of Program Development and Management, Virginia Department for the Aging, 101 N. 14th St., 18th Fl., Richmond, Va. 23219-2797, telephone (804) 225-2271 or SCATS 225-2271

### Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Department of Aging intends to consider promulgating regulations entitled: **Area Plans for Aging Services**. The purpose of the proposed regulation is to regulate the process by which an Area Agency on Aging develops and implements its Area Plan for Aging Services.

Statutory Authority: § 2.1-373 A.7 of the Code of Virginia.

Written comments may be submitted until July 20, 1988.

**Contact:** J. James Cotter, Director, Division of Program Development and Management, Virginia Department for the Aging, 101 N. 14th St., 18th Fl., Richmond, Va. 23219-2797, telephone (804) 225-2271 or SCATS 225-2271

### Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Department for the Aging intends to consider promulgating regulations entitled: **Financial Management Policies Applicable to Area Agencies on Aging**. The purpose of the proposed regulation is to provide policies and standards for an Area Agency on Aging in the administration of federal and state grants to provide supportive and nutrition services to older persons.

Statutory Authority: § 2.1-373 A.7 of the Code of Virginia.

Written comments may be submitted until July 20, 1988.

**Contact:** J. James Cotter, Director, Division of Program Development and Management, Virginia Department for the Aging, 101 N. 14th St., 18th Fl., Richmond, Va. 23219-2797, telephone (804) 225-2271 or SCATS 225-2271

### Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Department for the Aging intends to consider promulgating regulations entitled: **Hearings**. The purpose of the proposed regulation is to describe the hearing procedures of the Department for the Aging.

Statutory Authority: § 2.1-373 A.7 of the Code of Virginia.

Written comments may be submitted until July 20, 1988.

**Contact:** J. James Cotter, Director, Division of Program Development and Management, Virginia Department for the Aging, 101 N. 14th St., 18th Fl., Richmond, Va. 23219-2797, telephone (804) 225-2271 or SCATS 225-2271

### Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Department of Aging intends to consider promulgating regulations entitled: **Long-Term Care Ombudsman Program**. The purpose of the proposed regulations is to describe the policies by which the Department for the Aging establishes and operates the Office of the State Long-Term Care Ombudsman and designates and supervises an area or local ombudsman entity.

Statutory Authority: § 2.1-373 A.7 of the Code of Virginia.

Written comments may be submitted until July 20, 1988.

**Contact:** J. James Cotter, Director, Division of Program Development and Management, Virginia Department for the Aging, 101 N. 14th St., 18th Fl., Richmond, Va. 23219-2797, telephone (804) 225-2271 or SCATS 225-2271



# General Notices/Errata

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## DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

### Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Department of Agriculture and Consumer Services intends to consider amending regulations entitled: **Standards for Classification of Real Estate as Devoted to Agricultural Use and to Horticultural Use under the Virginia Land Use Assessment Law**. The purpose of the proposed regulation is to amend the Standards for Classification of Real Estate as Devoted to Agricultural Use and to Horticultural Use under the Virginia Land Use Assessment Law to clarify the standards and strengthen eligibility requirement for participation.

Statutory Authority: § 58.1-3230 of the Code of Virginia.

Written comments may be submitted until April 28, 1988, to S. Mason Carbaugh, Commissioner of Agriculture and Consumer Services, P. O. Box 1163, Richmond, Va. 23209.

**Contact:** T. Graham Copeland, Jr., Director, Policy Analysis and Development, P. O. Box 1163, Richmond, Va. 23209, telephone (804) 786-3539 or SCATS 786-3539

## STATE AIR POLLUTION CONTROL BOARD

### Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the State Air Pollution Control Board intends to consider amending regulations entitled: **VR 120-01. Regulations for the Control and Abatement of Air Pollution, concerning documents incorporated by reference**. The purpose of the proposed regulation is to provide the latest edition of referenced technical and scientific documents and to incorporate newly promulgated federal New Source Performance Standards and National Emission Standards for Hazardous Air Pollutants.

Statutory Authority: § 10-17.18(b) of the Code of Virginia.

Written comments may be submitted until May 18, 1988, to Director of Program Development, State Air Pollution Control Board, P. O. Box 10089, Richmond, Virginia 23240.

**Contact:** Nancy Saylor, Policy and Program Analyst, Division of Program Development, State Air Pollution Control Board, P. O. Box 10089, Richmond, Va. 23240, telephone (804) 786-1246

## DEPARTMENT OF CORRECTIONS (STATE BOARD OF) Division of Youth Services

### Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Department of Corrections, Division of Youth Services intends to consider amending regulations entitled: **Rules and Regulations Governing Applications for Virginia Delinquency Prevention and Youth Development Act Grants**. The purpose of the proposed regulation is to provide regulations governing applications for Virginia Delinquency Prevention and Youth Development Act grants with respect to eligibility, developmental process, criteria for application review and funding, and the review process.

Statutory Authority: §§ 53.1-5 and 53.1-253 of the Code of Virginia.

Written comments may be submitted until June 1, 1988.

**Contact:** Thomas J. Northern, III, Delinquency Prevention Specialist, Department of Corrections, P. O. Box 26963, Richmond, Va. 23261, telephone (804) 367-1633 or SCATS 367-1633

## DEPARTMENT OF FORESTRY

### Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Department of Forestry intends to consider amending regulations entitled: **Standards for Classification of Real Estate as Devoted to Forest Use under the Virginia Land Use Assessment Law Entitled: Special Assessments for Agricultural, Horticultural Forest Open Space or Newly Annexed Real Estate**. The purpose of the proposed regulation is to amend the standards for classification of real estate as devoted to forest use under the Virginia Land Use Assessment Law to clarify the standards and strengthen eligibility requirements for participation.

Statutory Authority: § 58.1-3230 of the Code of Virginia.

Written comments may be submitted until April 28, 1988, to James W. Garner, State Forester, Department of Forestry, P. O. Box 3758, Charlottesville, Virginia 22903.

**Contact:** W. C. Stanley, Chief, Forest Management, Department of Forestry, P. O. Box 3758, Charlottesville, Va. 22903, telephone (804) 997-6555 or SCATS 487-1230

**DEPARTMENT OF MEDICAL ASSISTANCE SERVICES  
(BOARD OF)**

**† Notice of Intended Regulatory Action**

Notice is hereby given in accordance with this agency's public participation guidelines that the Department of Medical Assistance Services intends to consider promulgating regulations entitled: **Provider Appeals of Surveillance and Utilization Review (SURS) Audits**. The purpose of the proposed action is to promulgate, in regulatory form, this provider appeals process.

Statutory Authority: § 32.1-325 of the Code of Virginia.

Written comments may be submitted until 4:30 p.m., May 13, 1988.

**Contact:** David Austin, Manager, Postpayment Review, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, Va. 23219, telephone (804) 786-5438

**VIRGINIA STATE BOARD OF NURSING**

**Notice of Intended Regulatory Action**

Notice is hereby given in accordance with this agency's public participation guidelines that the Virginia State Board of Nursing intends to consider promulgating and amending regulations entitled: **VR 495-01-1. Board of Nursing Regulations**. The purpose of the proposed regulation is to (i) promulgate regulations for the direction or supervision of licensed practical nurses as required by § 54-367.2 of the Code of Virginia as amended by the General Assembly, 1988; (ii) promulgate a regulation to require licensees to report change of address; and (iii) amend regulations related to approval of nursing education programs for clarity and enforceability.

Statutory Authority: §§ 54-367.2 and 54-367.11 of the Code of Virginia.

Written comments may be submitted until May 20, 1988.

**Contact:** Corinne F. Dorsey, Executive Director, Virginia State Board of Nursing, 1601 Rolling Hills Dr., Richmond, Va. 23229, telephone (804) 662-9909 or SCATS 662-9909

**STATE BOARD OF PHARMACY**

**† Notice of Intended Regulatory Action**

Notice is hereby given in accordance with this agency's public participation guidelines that the State Board of Pharmacy intends to consider amending regulations entitled: **VR 530-01-1. Regulations of the Virginia Board of Pharmacy**. The purpose of the proposed actions are to (i) consider increases in licensure fees to increase the

revenue to provide necessary funds for licensure, inspection and enforcement requirements; (ii) consider the necessity for promulgation of regulations dealing with an examination on drug laws for applicants for licensure by endorsement; in response to HB 515 passed during the 1988 Session of the General Assembly which amends § 54-526.26 of the Code of Virginia; and (iii) consider the promulgation of licensure and other requirements for practitioners of the healing arts who engage in the selling or dispensing of drugs in response to SB 425 passed during the 1988 Session of the General Session which amends § 54-317 of the Code of Virginia.

Statutory Authority: §§ 54-524.16 and 54.524.17 of the Code of Virginia.

**Contact:** Jack B. Carson, Executive Director, Board of Pharmacy, 1601 Rolling Hills Dr., Richmond, Va. 23229, telephone (804) 662-9911

**DEPARTMENT OF SOCIAL SERVICES (STATE BOARD OF)**

**Notice of Intended Regulatory Action**

Notice is hereby given in accordance with this agency's public participation guidelines that the Department of Social Services intends to consider promulgating regulations entitled: **Adult Protective Services Disclosure of Information**. The purpose of the proposed regulation is to promote interagency, interdisciplinary cooperation in adult protective services investigations by defining information to be disclosed by local departments of social services and by specifying circumstances under which such information will be disclosed.

Statutory Authority: §§ 63.1-25 and 63.1-55.4 of the Code of Virginia.

Written comments may be submitted until May 2, 1988.

**Contact:** Joy Duke, Adult Protective Services Program Supervisor, Department of Social Services, 8007 Discovery Dr., Richmond, Va. 23229-8699, telephone (804) 662-9241 or SCATS 662-9241

**STATE BOARD OF SOCIAL SERVICES AND CHILD DAY-CARE COUNCIL JOINTLY**

**† Notice of Intended Regulatory Action**

Notice is hereby given in accordance with these agencies' public participation guidelines that the State Board of Social Services and Child Day-Care Council jointly intend to consider promulgating and amending regulations entitled: **General Procedures and Information for Licensure**. The purpose of the proposed action is to promulgate and revise the General Procedures and Information for Licensure after receiving input from the

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public. The Child Day-Care Council and the State Board of Social Services will jointly promulgate and amend the regulations.

Statutory Authority: §§ 63.1-174 and 63.1-202 of the Code of Virginia.

Written comments may be submitted until May 26, 1988.

**Contact:** Arlene Kapser, Program Development Supervisor, Department of Social Services, Division of Licensing Programs, 8007 Discovery Dr., Richmond, Va. 23229, telephone (804) 662-9025 or SCATS 662-9025

## DEPARTMENT OF TRANSPORTATION (COMMONWEALTH TRANSPORTATION BOARD)

### Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Department of Transportation intends to consider promulgating regulations entitled: **State Noise Abatement Policy**. The purpose of the proposed regulation is to implement a statewide noise abatement program for all new federal and nonfederal highway projects.

Statutory Authority: § 33.1-12 of the Code of Virginia.

Written comments may be submitted until May 27, 1988, to J.S. Hodge, Chief Engineer, Department of Transportation, 1401 E. Broad St., Richmond, Va. 23219.

**Contact:** A.C. Anday, Coordinator, Air, Noise & Energy, Department of Transportation, 1401 E. Broad St., Room 1111, Richmond, Va. 23219, telephone (804) 786-6556 or SCATS 786-6556

## GENERAL NOTICES

### AIDS: LIVING AND WORKING WITH A NEW EPIDEMIC

May 9 and 10, 1988

The Omni Richmond Hotel, Richmond, Virginia

**SPONSORS:** The Health Policy Office, Virginia Commonwealth University; Office of the Secretary of Human Resources, Commonwealth of Virginia

**PURPOSE:** AIDS: **Living and Working with a New Epidemic** is a conference designed for all individuals concerned about AIDS in health care institutions, schools, businesses, government, community organizations, religious bodies, legal services, media, and the insurance industry. The program will utilize a multidisciplinary approach to meet the following objectives:

- To provide a comprehensive overview of the facts of AIDS

- To identify the major issues

- To provide an opportunity for discussion of the facts and issues and their policy implications for society

**FORMAT:** Presentations will include lectures and panel discussions examining a variety of issues related to AIDS including: An Overview of the Medical Aspects of AIDS, Approaches to Prevention, Provision and Economics of Health Care, Psychosocial Dimensions, Impact on the Marketplace, The Roles of the Media, Government, Churches and Schools, and The Community Response.

Luncheon Discussion Sessions will provide an opportunity for participants with specific areas of interest and expertise to identify and discuss AIDS issues. Speakers, panelists and other identified resource individuals will serve as facilitators during the discussion groups.

**REGISTRATION INFORMATION:** The course registration fee is \$165.00. The registration fee includes tuition, course materials, continental breakfasts, coffee breaks, luncheons, and a complimentary reception. All registrations include a non-refundable \$35.00 administrative fee. For further information and/or a program brochure, please contact:

**Ann Potter**  
Box 48, MCV Station  
Richmond, VA 23298-0048  
Telephone: (804) 786-0494

**HOTEL INFORMATION:** The Omni Richmond Hotel, 100 S. 12th Street, Richmond is our conference site. Group rates are \$68.00 single or double occupancy, plus 9.5% sales and lodging taxes. The cut-off date for reservations is April 22, 1988. To make reservations or for further information, please call (804) 344-7000.

## ALCOHOLIC BEVERAGE CONTROL BOARD

### † Notice to the Public

Pursuant to its public participation guidelines contained in § 5.1 of VR 125-01-1, the board intends to consider the amendment or adoption of regulations as set forth below and will conduct a public meeting on June 2, 1988, at 10 a.m. in the First Floor Hearing Room, 2901 Hermitage Road, Richmond, Virginia to receive comments from the public.

**1. Section 1.16 of VR 125-01-1 - Procedural Rules for the Conduct of Hearings Before the Board and Its Hearing Officers and the Adoption or Amendment of Regulations.**

**a. Subject of Proposal - Amend regulation to provide that acceptance of an offer in compromise**

is an admission of guilt by the licensee.

**b. Entities Affected** - Manufacturers, wholesalers, retailers and other permittees involved in administrative hearings.

**c. Purpose of Proposal** - To clarify that board acceptance of an offer in compromise is an admission of guilt by the licensee, unless otherwise specified by the board.

**d. Issues Involved** - Should an offer in compromise be considered an admission of guilt upon its acceptance by the board?

**e. Applicable Laws or Regulations** - §§ 4-7(1), 4-11(a), 4-98.10, 4-98.14, 4-103 of the Code of Virginia.

## **2. Section 3.5 of VR 125-01-1 - Discovery, prehearing procedures and production at hearings.**

**a. Subject of Proposal** - To eliminate the reference to good cause in the definition of "commencement" of proceedings under the Wine and Beer Franchise Acts and establish a uniform date for the commencement of all proceedings under the Acts.

**b. Entities Involved** - Manufacturers, wholesalers, retailers and other permittees involved in administrative hearings.

**c. Purpose of Proposal** - To establish a uniform date for the commencement of all proceedings under the Acts.

**d. Issues Involved** - Should discovery begin when the board receives a franchise complaint?

**e. Applicable Laws or Regulations** - §§ 4-118.11 and 4-118.31 of the Code of Virginia.

**f. Proposed by the Virginia Beer Wholesalers Association, Inc.**

## **3. Section 1 of VR 125-01-2 - Advertising generally, cooperative advertising; federal laws; beverages and cider; exceptions; restrictions.**

**a. Subject of Proposal** - Advertising sales or reduced prices on alcoholic beverages.

**b. Entities Affected** - Manufacturers, wholesalers, retail licensees, newspapers and radio stations.

**c. Purpose of Proposal** - To clarify that sales or reduced prices on alcoholic beverages may be advertised in the print media and on the radio only if advertised with nonalcoholic sales merchandise, and the alcoholic beverage ads must conform in size, prominence and content to the ads of the

nonalcoholic merchandise.

**d. Issues Involved** - This amendment is of a "housekeeping" nature to help clarify our regulation.

**e. Applicable Laws or Regulations** - §§ 4-7(1), 4-11(a), 4-69, 4-98.10(w), 4-98.14 and 4-103(b) and (c) of the Code of Virginia.

## **4. Section 2 of VR 125-01-2 - Advertising; interior; retail licensees; show windows.**

**a. Subject of Proposal** - Amend regulation to include sponsorship of a cultural event.

**b. Entities Affected** - Retail licensees.

**c. Purpose of Proposal** - To comply with regulatory changes.

**d. Issues Involved** - This amendment is of a "housekeeping" nature to make sure our regulations reflect all current changes.

**e. Applicable Laws or Regulations** - §§ 4-7(1), 4-11(a), 4-60(i), 4-69, 4-69.2, 4-98.10(w) and 4-98.14 of the Code of Virginia, VR 125-01-2 § 10.

## **5. Section 3 of VR 125-01-2 - Advertising; exterior; signs; trucks; uniforms.**

**a. Subject of Proposal** - To allow manufacturers and wholesalers, including wineries and farm wineries, to promote responsible drinking through outdoor alcoholic beverage advertising.

**b. Entities Affected** - Manufacturers, wholesalers, including wineries and farm wineries.

**c. Purpose of Proposal** - To promote responsible drinking.

**d. Issues Involved** - Should manufacturers and wholesalers use billboards which display their corporate name and logo to promote responsible drinking?

**e. Applicable Laws or Regulations** - §§ 4-7(1), 4-11(a), 4-69, 4-98.10(w) and 4-98.14 of the Code of Virginia.

**f. Proposed by Anheuser-Busch.**

## **6. Section 3 of VR 125-01-2 - Advertising; exterior; signs; trucks; uniforms.**

**a. Subject of Proposal** - Amend regulation to limit the dimension of directional signs to 64 square feet rather than to eight feet in height or width.

**b. Entities Affected** - Manufacturers, wholesalers

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and farm wineries.

**c. Purpose of Proposal** - To eliminate requests for special permits for signs which do not conform to the dimension of eight feet in height or width but whose square footage is less than the eight foot dimension.

**d. Issues Involved** - Should the dimensions of directional signs be limited to 64 square feet?

**e. Applicable Laws or Regulations** - §§ 4-7(l), 4-11(a), 4-69, 4-98.10(w) and 4-98.14 of the Code of Virginia.

**7. Section 4 of VR 125-01-2 - Advertising, newspaper, magazines, radio, television, trade publications, etc.**

**a. Subject of Proposal** - To prohibit advertising of beer in student publications unless in reference to a dining establishment.

**b. Entities Affected** - Retail licensees, universities, colleges, student publications.

**c. Purpose of Proposal** - To prohibit beer advertisements in college student publications unless in reference to a dining establishment.

**d. Issues Involved** - Wine and mixed beverage advertisements in college student publications may only be made in reference to a dining establishment. Should beer advertisements in college student publications only be allowed when made in reference to a dining establishment?

**e. Applicable Laws or Regulations** - §§ 4-7(l), 4-11(a), 4-69, 4-79(a), 4-98.10(w) and 4-98.14 of the Code of Virginia.

**8. Section 4 of VR 125-01-2 - Advertising; newspaper, magazines, radio, television, trade publications, etc.**

**a. Subject of Proposal** - To delete the word "bar" as a prohibited term which currently may not appear in the print or electronic media.

**b. Entities Affected** - Retail licensees.

**c. Purpose of Proposal** - To delete the word "bar" as a prohibited term.

**d. Issues Involved** - This amendment is of a "housekeeping" nature to clarify agency interpretation of this regulation.

**e. Applicable Laws or Regulations** - §§ 4-7(l), 4-11(a), 4-69, 4-98.10(w) and 4-98.114 of the Code of Virginia.

**9. Section 5 of VR 125-01-2 - Advertising; newspapers**

**and magazines; programs; distilled spirits.**

**a. Subject of Proposal** - Amend regulation by clarifying that distilled spirits advertising may appear in printed programs relating to conservation and environmental programs, professional, semi-professional, or amateur athletic and sporting events and events of a charitable or cultural nature.

**b. Entities Affected** - Distillers, bottlers, importers and wholesalers.

**c. Purpose of Proposal** - To add the word "printed" to programs to clarify that distilled spirits advertising may appear in conservation and environmental programs, professional, semi-professional, or amateur athletic and sporting events and events of a charitable or cultural nature.

**d. Issues Involved** - This amendment is of a "housekeeping" nature to clarify agency interpretation of this regulation.

**e. Applicable Laws or Regulations** - §§ 4-7(l), 4-11(a) and 4-69 of the Code of Virginia.

**10. Section 6 of VR 125-01-2 - Advertising; novelties and specialties.**

**a. Subject of Proposal** - Amend regulation to include sponsorship of a cultural event.

**b. Entities Affected** - Manufacturers, wholesalers.

**c. Purpose of Proposal** - To comply with regulatory changes.

**d. Issues Involved** - This amendment is of a "housekeeping" nature to make sure our regulations reflect the current changes.

**e. Applicable Laws or Regulations** - §§ 4-7(l), 4-11(a), 4-69, 4-98.10(w) and 4-98.14 of the Code of Virginia, VR 125-01-2 § 10.

**11. Section 9 of VR 125-01-2 - Advertising; coupons.**

**a. Subject of Proposal** - To allow wine refund coupon pads to be placed in a designated area of a retail establishment rather than limiting their placement to just cut case cards.

**b. Entities Affected** - Manufacturers, wholesalers and retail licensees.

**c. Purpose of Proposal** - In most retail store operations, there is an area designated in the front of the store where coupons are made available to customers. This amendment would allow for the placement of wine refund coupon pads in those areas.

**d. Issues Involved** - Should refund coupons be permitted on rebate boards?

**e. Applicable Laws or Regulations** - §§ 4-7(a), 4-11(a), 4-69, 4-98.10(w), 4-98.14 and 4-103(b) and (c) of the Code of Virginia.

**f. Proposed by the Virginia Wine Wholesalers Association, Inc.**

**12. Section 10 of VR 125-01-2 - Advertising; sponsorship of public events; restrictions and conditions.**

**a. Subject of Proposal** - To allow sponsorship of collegiate events (including sporting and nonsporting events) by distilleries, wineries and breweries when these functions are attended by alumni and the general public.

**b. Entities Affected** - Manufacturers, wholesalers, universities and colleges.

**c. Purpose of Proposal** - To provide financial support for collegiate events attended by alumni and the general public.

**d. Issues Involved** - (1) Will distillery, winery or brewery sponsorship of collegiate events attended by alumni and the general public encourage underage college students to drink? (2) Will lack of sponsorship by distilleries, wineries or breweries for college events attended by alumni and the general public cause any financial hardship?

**e. Applicable Laws or Regulations** - §§ 4-7(l), 4-11(a) and 4-69 of the Code of Virginia.

**f. Proposed by the Virginia Beer Wholesalers Association, Inc.**

**13. Section 10 of VR 125-01-2 - Advertising; sponsorship of public events; restrictions and conditions.**

**a. Subject of Proposal** - To allow sponsorship of intercollegiate athletic events by distilleries, wineries and breweries.

**b. Entities Affected** - Manufacturers, wholesalers, universities and colleges.

**c. Purpose of Proposal** - To provide financial support to collegiate athletic programs.

**d. Issues Involved** - (1) Will financial sponsorship of intercollegiate events by distilleries, wineries and breweries encourage drinking by those under the age of 21? (2) Will lack of financial sponsorship by distilleries, wineries and breweries cause undue hardship to intercollegiate athletic events and their

athletic associations?

**e. Applicable Laws or Regulations** - §§ 4-7(l), 4-11(a) and 4-69 of the Code of Virginia.

**f. Proposed by the Central Intercollegiate Athletic Association and Virginia Commonwealth University.**

**14. Section 8 of VR 125-01-3 - Solicitation of mixed beverage licensees generally; disqualifying factors.**

**a. Subject of Proposal** - To amend regulation to authorize and control the solicitation of mixed beverage licensees.

**b. Entities Affected** - Manufacturers, wholesalers, brokers, retail licensees.

**c. Purpose of Proposal** - To facilitate amendment of this regulation should HB 843 become law.

**d. Issues Involved** - To determine the proper control of and limitations on the solicitation of mixed beverage licensees.

**e. Applicable Laws or Regulations** - §§ 4-98.14 and 4-98.16 of the Code of Virginia.

**15. Section 9 of VR 125-01-3 - Inducements to retailers; tapping equipment; bottle or can openers; banquet licensees; cut case cards; clip-ons and table tents.**

**a. Subject of Proposal** - To eliminate cut case card dimensions.

**b. Entities Affected** - Manufacturers, wholesalers and retail licensees.

**c. Purpose of Proposal** - Paper point-of-sale is a needed vehicle in terms of explaining wine products to the consuming public. Through this change, Virginia would be in a position to provide information that is presently being provided in numerous other states.

**d. Issues Involved** - Should there be any limitations on the dimensions of cut case cards?

**e. Applicable Laws or Regulations** - §§ 4-7(l), 4-11(a), 4-69.2, 4-79(f) and (h) and 4-98.14 of the Code of Virginia.

**f. Proposed by the Virginia Wine Wholesalers Association, Inc., Anheuser-Busch, and Adolph Coors Company.**

**16. Section 9 of VR 125-01-3 - Inducements to retailers; tapping equipment; bottle or can openers; banquet licensees; cut case cards; clip-ons and table tents.**

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- a. **Subject of Proposal** - To clarify that table tents may contain a listing of four wines and four beers.
- b. **Entities Affected** - Manufacturers, wholesalers and retail licensees.
- c. **Purpose of Proposal** - To clarify that table tents may list a total of four wines and four beers.
- d. **Issues Involved** - This amendment clarifies the Board's interpretation that a table tent may contain a total of four wines and four beers.
- e. **Applicable Laws or Regulations** - §§ 4-7(l), 4-11(a), 4-69.2, 4-79(f) and (h) and 4-98.14 of the Code of Virginia.
- 17. Section 9 of VR 125-01-3 - Inducement to retailers; tapping equipment; bottle or can openers; banquet licensees; cut case cards; clip-ons and table tents.**
- a. **Subject of Proposal** - To eliminate the requirement that cut case cards be supported by or affixed to, and be an integral part of, the case display.
- b. **Entities Affected** - Manufacturers, wholesalers and retail licensees.
- c. **Purpose of Proposal** - Paper point-of-sale is a needed vehicle in terms of explaining wine products to the consuming public. Through this change, Virginia would be in a position to provide information that is presently being provided in numerous other states.
- d. **Issues Involved** - Should retail licensee establishments be permitted to display cut case cards in any area of their stores?
- e. **Applicable Laws or Regulations** - §§ 4-7(a), 4-11(a), 4-69.2, 4-79(f) and (h) and 4-98.14 of the Code of Virginia.
- f. Proposed by the Virginia Wine Wholesalers Association, Inc., Anheuser-Busch, and Adolph Coors Company.
- 18. Section 9 of VR 125-01-3 - Inducements to retailers; tapping equipment; bottle or can openers; banquet licensees; cut case cards; clip-ons and table tents.**
- a. **Subject of Proposal** - To permit the use of pole toppers for display purposes only and to allow wholesalers to mark or affix retail prices on pole toppers.
- b. **Entities Affected** - Manufacturers, wholesalers and retail licensees.
- c. **Purpose of Proposal** - To permit the use of pole toppers for display purposes only and to allow wholesalers to mark or affix retail prices on pole toppers.
- d. **Issues Involved** - Should pole toppers be permitted if an integral part of the case display?
- e. **Applicable Laws or Regulations** - §§ 4-7(l), 4-11(a), 4-69.2, 4-79(f) and (h) and 4-98.14 of the Code of Virginia.
- f. Proposed by the Virginia Beer Wholesalers Association, Inc.
- 19. Section 3 of VR 125-01-4 - Wine Containers; sizes and types; on- and off-premises limitations; cooler dispensers; novel containers; carafes and decanters.**
- a. **Subject of Proposal** - To permit wine to be sold in containers smaller than 6.3 ounces.
- b. **Entities Affected** - Manufacturers, wholesalers, retail licensees, and importers.
- c. **Purpose of Proposal** - To not preclude alcoholic beverages and beverages whose metric sizes do not conform to our regulation.
- d. **Issues Involved** - Should foreign alcoholic beverages or beverages be precluded from sale in the state because of their size?
- e. **Applicable Laws or Regulations** - §§ 4-7(h) and (l), 4-11(a) and 4-98.10 of the Code of Virginia.
- 20. Section 2 of VR 125-01-5 - Determination of Legal Age of Purchasers.**
- a. **Subject of Proposal** - To clarify that identification issued by a state university or college is not acceptable evidence of legal age.
- b. **Entities Affected** - Retail licensees, state universities and colleges.
- c. **Purpose of Proposal** - To comply with the Board's interpretation of this section.
- d. **Issues Involved** - Should state university and college identification cards be acceptable evidence of legal age because they are a state government agency when private and out-of-state university and college identification cards are not acceptable evidence of legal age?
- e. **Applicable Laws or Regulations** - §§ 4-7(l), 4-11(a), 4-62 and 4-98.14 and 4-103(b) of the Code of Virginia.
- 21. Section 10 of VR 125-01-5 - Definitions and**

qualifications for retail off-premises wine and beer licenses and off-premises beer licenses; exceptions; further conditions; temporary licenses.

a. **Subject of Proposal** - To make all sales and inventory requirements now applicable to off-premises wine licensees equal to those presently required for off-premises beer retail licensees.

b. **Entities Affected** - Retail licensees.

c. **Purpose of Proposal** - Equality between retail wine and beer licensees.

d. **Issues Involved** - Should the qualifications for off-premises wine licensees be lowered to that of off-premises beer licensees?

e. **Applicable Laws or Regulations** - §§ 4-7(l), 4-11(a), 4-25 and 4-31(a) of the Code of Virginia.

f. Proposed by the Virginia Wine Wholesalers Association, Inc.

**22. Section 13 of VR 125-01-5 - Clubs; applications; qualifications; reciprocal arrangements; changes; financial statements.**

a. **Subject of Proposal** - To define the terms private club, nonprofit club and profit club as it relates to the mixed beverage laws.

b. **Entities Affected** - Clubs.

c. **Purpose of Proposal** - To define the terms private club, nonprofit, and profit club as it relates to the mixed beverage laws.

d. **Issues Involved** - Under what conditions should the board issue a mixed beverage license to a restaurant located on the premises of a private club?

e. **Applicable Laws or Regulations** - §§ 4-2(6), 4-7(l), 4-11(a), 4-61.1, 4-98.14 and 4-118.1 of the Code of Virginia.

**23. Section 2 of VR 125-01-6 - Wines; purchase orders generally; wholesale wine distributors.**

a. **Subject of Proposal** - To permit the peddling of wine coolers.

b. **Entities Affected** - Manufacturers, wholesalers and retail licensees.

c. **Purpose of Proposal** - To allow the peddling of wine coolers.

d. **Issues Involved** - Should wholesalers be allowed to peddle wine coolers?

e. **Applicable Laws or Regulations** - §§ 4-7(a), (b) and (l), 4-11(a), 4-22.1 and 4-84(b) of the Code of Virginia.

f. Proposed by the Virginia Beer Wholesalers Association, Inc.

**24. Section 7 of VR 125-01-6 - Adopt a new section prohibiting the sale and delivery by wholesalers between 12 midnight and 5 a.m. and to transfer and incorporate § 1 of VR 125-01-3 into a new § 7.**

a. **Subject of Proposal** - To prohibit the sale and delivery of beer and wine by wholesalers between 12 midnight and 5 a.m. and to transfer § 1 of VR 125-01-3 (Sunday deliveries by wholesalers, prohibited exceptions) into a new § 7.

b. **Entities Affected** - Wine and beer wholesalers and retail licensees.

c. **Purpose of Proposal** - Until May 1987 the Board had interpreted VR 125-01-5, § 3 - Restricted Hours to apply to wholesale licensees. This new regulation would prohibit wholesalers' deliveries between midnight and 5 a.m. The wholesalers are very concerned about the safety of making deliveries during midnight and 5 a.m.

d. **Issues Involved** - (1) Will this protect wholesalers from being forced to make deliveries between 12 midnight and 5 a.m.? (2) How will this affect retail licensees?

e. **Applicable Laws or Regulations** - §§ 4-7(b) and (l), 4-11(a), 4-36, 4-72.1, 4-84, 4-103(b), 4-114.1 and 4-118.2 of the Code of Virginia.

f. Proposed by Virginia Beer Wholesalers Association and the Virginia Wine Wholesalers Associations, Inc.

**25. Section 8 of VR 125-01-6 - Solicitor-salesman; records; employment restrictions; suspension or revocation of permits for mixed beverage licensees.**

a. **Subject of Proposal** - To regulate and control the solicitation of mixed beverage licensees.

b. **Entities Affected** - Manufacturers, wholesalers, and retail licensees.

c. **Purpose of Proposal** - To facilitate adoption of a new regulation should HB 843 become law, including but not limited to record keeping age limitations, etc.

d. **Issues Involved** - To determine the proper control and limitations on the solicitation of mixed beverage licensees.

e. **Applicable Laws or Regulations** - §§ 4-7(l),



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4-11(a), 4-26, 4-98.14 and 4-98.16 of the Code of Virginia.

**26. Section 8 of VR 125-01-6 - Adopt a new section to allow distillery representatives to conduct training seminars and have the same privileges as wine representatives when soliciting mixed beverage licensees.**

**a. Subject of Proposal** - To allow distillery representatives to conduct training seminars and have the same privileges as wine representatives when soliciting mixed beverage licensees.

**b. Entities Affected** - Manufacturers, brokers, wholesalers and retail licensees.

**c. Purpose of Proposal** - What activities will be permitted by distillers' representatives when calling on mixed beverage licensees?

**d. Applicable Laws or Regulations** - §§ 4-98.14 and 4-98.16 of the Code of Virginia.

**e. Proposed by** Jim Rogers, President of Associated Distributors.

**27. Section 8 of VR 125-01-6 - Adopt new sections to comply with and regulate the solicitation of mixed beverage licensees by distillers' representatives.**

**a. Subject of Proposal** - To prohibit any person holding a distilled spirits permit from (1) providing cash discounts or cash rebates, gifts, entertainment or other forms of gratuity and equipment to any mixed beverage licensee; (2) from purchasing or delivering distilled spirits or other alcoholic beverages as inducements to mixed beverage licensees; and (3) from soliciting any mixed beverage licensee for wine, beer or other merchandise simultaneously with the solicitation of distilled spirits.

Persons holding distilled spirits permits may (1) distribute directly and indirectly written educational material; (2) provide samples to mixed beverage licensees so long as the sample remains the property of the distilled spirits representative and the sample cannot be left with mixed beverage licensees; and (3) promote distilled spirits through Trade Shows and through organizations of distilled spirits representatives, either separately or in conjunction with other industry organizations.

**b. Entities Affected** - Manufacturers, brokers, wholesalers and retail licensees.

**c. Purpose of Proposal** - To prohibit concurrent solicitation of wine, beer and other merchandise with distilled spirits in order that these other products are not used as inducements to purchase

distilled spirits.

**d. Issues Involved** - Passage of House Bill 843 requires the adoption of regulations governing solicitation by representatives of manufacturers of distilled spirits.

**e. Applicable Laws or Regulations** - §§ 4-7(1), 4-11(a), 4-26, 4-98.14 and 4-98.16 of the Code of Virginia.

**f. Proposed by** Virginia Distilled Spirits Representatives Association.

**28. Section 18 of VR 125-01-7 - Adopt a new section to allow wine wholesalers to participate in wine tastings.**

**a. Subject of Proposal** - To allow wine wholesalers to participate with specialty shop licensees in wine tastings involving the public.

**b. Entities Affected** - Manufacturers, wholesalers and specialty shop licensees.

**c. Purpose of Proposal** - Most wine wholesalers are in a position to provide abundant information to the consuming public with regard to wine. One avenue for providing this information is through a tasting conducted by a retail licensee. This new regulation would allow for greater participation by wholesalers in that process and thus allow for better public understanding of the various types and brands of wines on the market.

**d. Issues Involved** - Should wine wholesalers be allowed to participate with specialty shop licensees in wine tastings involving the public?

**e. Applicable Laws or Regulations** - §§ 4-7(a), 4-11(a), 4-44, 4-98.14, 4-98.16 and 4-103(b) of the Code of Virginia.

**f. Proposed by** the Virginia Wine Wholesalers Association, Inc.

**29. Sections 1-18, etc. of VR 125-01-8 - Beer and Beverage Excise Tax.**

**a. Subject of Proposal** - Adopt regulations to comply with new §§ 4-127 through 4-145 of the Code of Virginia authorizing the ABC Board to collect beer and beverage excise taxes.

**b. Entities Affected** - Manufacturers, wholesalers, bottlers and retailers.

**c. Purpose of Proposal** - To comply with House Bill 496, effective July 1, 1988, which moves provisions relating to beer and beverage excise taxes from Title 58.1 to Title 4.

**d. Issues Involved** - The adoption of new regulations is necessitated by the passage of House Bill 496.

**e. Applicable Laws or Regulations** - §§ 4-7(a), 4-11(a), 4-44, 4-65, 4-66, 4-99, 4-127 through 4-145 of the Code of Virginia, and regulations adopted by the Virginia Department of Taxation relating to beer and beverage excise taxes.

30. Regulations are adopted by the board pursuant to authority contained in §§ 4-7(l), 4-11(a), 4-98.14, 4-103(b), 4-6.14, and 9-6.14, and 9-6.4:1 et seq. of Title 9 of the Code of Virginia.

31. The board requests that all persons interested in the above described subjects please submit comments in writing by **10 a.m. June 2, 1988** to the undersigned, P. O. Box 27491, Richmond, Virginia 23261 or attend the public meeting scheduled below.

32. The board will hold a public meeting and receive the comments or suggestions of the public on the above subjects. The meeting will be in the First Floor Hearing Room at 2901 Hermitage Road, Richmond, Virginia at **10 a.m. on June 2, 1988**.

33. Regarding the proposals as set forth above, all references to existing regulations that may be the subject of amendment or repeal, all references to proposed numbers for new regulations or to applicable laws or regulations are for purposes of information and guidance only, and are not to be considered as the only regulations or laws that may be involved or affected when developing draft language to carry-out the purposes of any proposal. This notice is designed, primarily, to set forth the subject matter and objectives of each proposal. In developing draft language, it may be necessary to amend or repeal a number of existing regulations and or adopt new regulations as may be deemed necessary by the board, and the references set forth above are not intended to be all inclusive.

34. Contact the undersigned, if you have questions, at the above address or by phone at **(804) 367-0616**.

## ALCOHOLIC BEVERAGE CONTROL BOARD

/s/ Robert N. Swinson  
Secretary

## NOTICES 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: Jane Chaffin, Virginia Code Commission, P.O. Box 3-AG, Richmond, Va. 23208, telephone (804) 786-3591.

## FORMS:

NOTICE OF INTENDED REGULATORY ACTION - RR01  
NOTICE OF COMMENT PERIOD - RR02  
PROPOSED (Transmittal Sheet) - RR03  
FINAL (Transmittal Sheet) - RR04  
EMERGENCY (Transmittal Sheet) - RR05  
NOTICE OF MEETING - RR06  
AGENCY RESPONSE TO LEGISLATIVE OR GUBERNATORIAL OBJECTIONS - RR08  
DEPARTMENT OF PLANNING AND BUDGET (Transmittal Sheet) - DPBRR09

Copies of the 1987 Virginia Register Form, Style and Procedure Manual may also be obtained from Jane Chaffin at the above address.

## ERRATA

### BOARD OF PROFESSIONAL COUNSELORS

Title of Regulation: VR 560-01-02. Regulations Governing the Practice of Professional Counseling.

Publication: V.A.R. 4:9 770-776 February 1, 1988

#### Correction:

page 771, § 1.1. Definitions, "supervisor" should be stricken. The board deleted this definition in its regulations proposed October 15, 1987.

page 772, § 2.1 B.3.c, the board changed this requirement from "endorsement letters from five responsible persons: to "endorsement letters from three responsible persons."

# CALENDAR OF EVENTS

## Symbols Key

- † Indicates entries since last publication of the Virginia Register
- ☒ Location accessible to handicapped
- ☎ Telecommunications Device for Deaf (TDD)/Voice Designation

## 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.

## VIRGINIA CODE COMMISSION

## EXECUTIVE

### VIRGINIA AGRICULTURAL COUNCIL

May 16, 1988 - 9 a.m. - Open Meeting  
Holiday Inn - Airport, 5203 Williamsburg Road, Sandston, Virginia

A meeting to (i) review progress reports on approved funded research projects; (ii) hear any new project proposals which are properly supported by the Board of Directors of a commodity group; and (iii) any other business that may come before the members of the council.

Contact: Henry H. Budd, Assistant Secretary, Washington Bldg., 1100 Bank St., Room 203, Richmond, Va. 23219, telephone (804) 786-2373

### STATE BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS AND CERTIFIED LANDSCAPE ARCHITECTS

† May 20, 1988 - 9 a.m. - Open Meeting  
Travelers Building, 3600 West Broad Street, 5th Floor, Richmond, Virginia. ☒

A meeting to (i) approve minutes of December 10, 1987; (ii) review enforcement cases; (iii) review correspondence; and (iv) consider fee revisions.

### Virginia State Board of Architects

† May 6, 1988 - 9 a.m. - Open Meeting

Travelers Building, 3600 West Broad Street, 5th Floor, Richmond, Virginia. ☒

A meeting to (i) approve minutes of the March 25, 1988 meeting; (ii) discuss investigative cases; (iii) review applications; and (iv) discuss correspondence.

### Virginia State Board of Land Surveyors

† May 19, 1988 - 1 p.m. - Open Meeting  
Travelers Building, 3600 West Broad Street, 5th Floor, Richmond, Virginia. ☒

A meeting to approve minutes of the February 5, 1988 meeting and review applications.

### Virginia State Board of Professional Engineers

† May 5, 1988 - 9 a.m. - Open Meeting  
Travelers Building, 3600 West Broad Street, 5th Floor, Richmond, Virginia. ☒

A meeting to (i) approve minutes of the February 16, 1988 meeting; (ii) review applications; and (iii) discuss enforcement cases.

Contact: Bonnie S. Salzman, Assistant Director, 3600 W. Broad St., Richmond, Va. 23230, telephone (804) 367-8506, toll-free 1-800-552-3016 or SCATS 367-8506

## AUCTIONEERS BOARD

May 3, 1988 - 10 a.m. - Open Meeting  
Roanoke City Circuit Court, 315 W. Church Avenue, Roanoke, Virginia

The board will meet to conduct a formal administrative hearing: Virginia Auctioneers Board v. Earl Frith.

Contact: Sylvia Bryant, Hearings Coordinator, Department of Commerce, 3600 W. Broad St., Richmond, Va. 23230, telephone (804) 367-8524

### BEDFORD COUNTY LOCAL EMERGENCY PLANNING COMMITTEE

April 27, 1988 - 7:30 p.m. - Open Meeting  
Courthouse, Room B-105 (Board of Supervisors), Bedford, Virginia. ☒

A meeting to consider (i) adoption of constitution and

by-laws; (ii) staff report; (iii) reports of committees; and (iv) establishment of goals.

**Contact:** John P. Tansey, Chairman, Pro-tem, Courthouse, Room B-105, Bedford, Va., telephone (703) 586-0179

## CHESAPEAKE BAY COMMISSION

**April 29, 1988 - 9 a.m. - Open Meeting**  
Holiday Inn, 516 Baltimore Street, Gettysburg, Pennsylvania

A quarterly meeting.

**Contact:** J. Claiborne Jones, 60 West St., Suite 200, Annapolis, MD 21401, telephone (301) 263-3420

## LOCAL EMERGENCY PLANNING COMMITTEE OF CHESTERFIELD COUNTY

**May 5, 1988 - 5:30 p.m. - Open Meeting**  
**May 19, 1988 - 5:30 p.m. - Open Meeting**  
**June 2, 1988 - 5:30 p.m. - Open Meeting**  
Chesterfield County Administration Building, 10001 Ironbridge Road, Room 303, Chesterfield, Virginia. ☒

A meeting to review contingency plans of local businesses. (To meet requirements of SARA 1986.)

**Contact:** Lynda G. Furr, Assistant Emergency Services Coordinator, Chesterfield Fire Department, P. O. Box 40, Chesterfield, Va. 23832, telephone (804) 748-1236

## CHILD DAY-CARE COUNCIL

**May 16, 1988 -** Written comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Child Day-Care Council intends to adopt regulations entitled: **VR 175-01-01. Public Participation Guidelines.** The purpose of the proposed regulation is to set guidelines for obtaining public participation prior to and during the drafting, promulgation and final adoption process of regulations applicable to child care centers.

Statutory Authority: § 63.1-202 of the Code of Virginia.

Written comments may be submitted until May 16, 1988.

**Contact:** Arlene Kasper, Program Development Supervisor, Department of Social Services, Division of Licensing, 8007 Discovery Dr., Richmond, Va. 23229-8699, telephone (804) 662-9025 or SCATS 662-9025

## INTERDEPARTMENTAL LICENSURE AND CERTIFICATION OF CHILDREN'S RESIDENTIAL FACILITIES

### Coordinating Committee

**May 13, 1988 - 8 a.m. - Open Meeting**  
Department of Corrections, 4615 West Broad Street, Room 105, Richmond, Virginia. ☒

**June 10, 1988 - 8 a.m. - Open Meeting**  
Tyler Building, 1603 Santa Rosa Road, Suite 221, Richmond, Virginia. ☒

A regularly scheduled monthly meeting to discuss administrative and policy areas related to the Interdepartmental Licensure and Certification of Residential Facilities for Children.

**Contact:** John J. Allen, Jr., Coordinator, Office of the Coordinator, Interdepartmental Licensure and Certification, 8007 Discovery Dr., Richmond, Va. 23229-8699, telephone (804) 662-9025 or SCATS 662-9025

## STATE BOARD FOR COMMUNITY COLLEGES

† **May 18, 1988 - 1 p.m. - Open Meeting**  
The Cascades Conference Center, Williamsburg, Virginia

A working session. The committees will meet at 3 p.m. following the working session.

† **May 19, 1988 - 9 a.m. - Open Meeting**  
The Cascades Conference Center, Williamsburg, Virginia

A state board meeting.

**Contact:** Joy S. Graham, telephone (804) 225-2126

## DEPARTMENT OF CONSERVATION AND HISTORIC RESOURCES

### Falls of the James Advisory Committee

**May 20, 1988 - noon - Open Meeting**  
Richmond City Hall, 3rd Floor Conference Room, Richmond, Virginia. ☒

A regular meeting to discuss general business and issues affecting the portion of the James River that runs through the City of Richmond.

### Goose Creek Scenic River Advisory Board

† **May 5, 1988 - 2 p.m. - Open Meeting**  
Middleburg Community Center, Main Street, Middleburg, Virginia

A regular business meeting to discuss issues and

# Calendar of Events

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matters affecting the Goose Creek Scenic River.

## Shenandoah Scenic River Advisory Board

† April 26, 1988 - 4 p.m. - Open Meeting  
Clarke County Courthouse, Board of Supervisor's Room,  
Berryville, Virginia

A general meeting to discuss issues and matters  
related to the Shenandoah Scenic River.

Contact: Richard G. Gibbons, Division of Parks and  
Recreation, 1201 Washington Bldg., Capitol Sq., Richmond,  
Va. 23219, telephone (804) 786-4132

## Division of Soil and Water Conservation

April 27, 1988 - 2 p.m. - Open Meeting  
Virginia War Memorial Auditorium, 621 South Belvidere  
Street, Richmond, Virginia

The Division of Soil and Water Conservation has  
completed, in accordance with § 319 of the Clean  
Water Act of 1987, an assessment report of nonpoint  
sources of pollution affecting Virginia's waters. The  
results of this assessment will be discussed as well as  
ongoing work on the development of a nonpoint source  
management plan required under § 319. Copies of the  
report will be available.

Contact: Stuart Wilson, Division of Soil and Water  
Conservation, 203 Governor St., Suite 206, Richmond, Va.  
23219, telephone (804) 786-2064

## DEPARTMENT OF CORRECTIONS (STATE BOARD OF)

June 28, 1988 - 7 p.m. - Public Hearing  
Holiday Inn, Wytheville, Virginia

July 7, 1988 - 7 p.m. - Public Hearing  
Omni Norfolk Hotel, Norfolk, Virginia

July 13, 1988 - 10 a.m. - Public Hearing  
6900 Atmore Drive, 3rd Floor Board Room, Richmond,  
Virginia

Notice is hereby given in accordance with § 9-6.14:7.1  
of the Code of Virginia that the Department of  
Corrections intends to adopt regulations entitled: **VR  
230-40-005. Minimum Standards for Virginia  
Delinquency Prevention and Youth Development Act  
Grant Programs.** These proposed regulations set forth  
operating standards for Virginia Delinquency  
Prevention and Youth Development Act grant  
programs pertaining to program administration,  
services, personnel and fiscal management, staff  
training, and monitoring and evaluation.

Statutory Authority: §§ 53.1-5 and 53.1-253 of the Code of  
Virginia.

Written comments may be submitted until June 13, 1988.

Contact: Austen C. Micklem, Jr., Acting Chief of Operations  
for Programs, Division of Youth Services, Department of  
Corrections, P. O. Box 26963, Richmond, Va. 23261,  
telephone (804) 367-0130

\* \* \* \* \*

June 28, 1988 - 7 p.m. - Public Hearing  
Holiday Inn, Wytheville, Virginia

July 7, 1988 - 7 p.m. - Public Hearing  
Omni Norfolk Hotel, Norfolk, Virginia

July 13, 1988 - 10 a.m. - Public Hearing  
6900 Atmore Drive, 3rd Floor Board Room, Richmond,  
Virginia

Notice is hereby given in accordance with § 9-6.14:7.1  
of the Code of Virginia that the Department of  
Corrections intends to adopt regulations entitled: **VR  
230-40-006. Rules and Regulations Governing  
Applications for Virginia Delinquency Prevention  
and Youth Development Act Grants.** These  
regulations govern application for Virginia Delinquency  
Prevention and Youth Development Act grants  
including eligibility, criteria for review and funding,  
and the review process.

Statutory Authority: §§ 53.1-5 and 53.1-253 of the Code of  
Virginia.

Written comments may be submitted until June 13, 1988.

Contact: Austen C. Micklem, Jr., Acting Chief of Operations  
for Programs, Division of Youth Services, Department of  
Corrections, P. O. Box 26963, Richmond, Va. 23261,  
telephone (804) 367-0130

## VIRGINIA BOARD OF COSMETOLOGY

April 25, 1988 - 9 a.m. - Open Meeting  
Traveler's Building, 3600 West Broad Street, Richmond,  
Virginia. ☐

A meeting to (i) discuss enforcement cases; (ii)  
review proposed regulations; (iii) review applications;  
and (iv) review correspondence.

† May 16, 1988 - 9 a.m. - Open Meeting  
Travelers Building, 3600 West Broad Street, Richmond,  
Virginia. ☐

A meeting to review (i) enforcement cases; (ii)  
applications; (iii) correspondence; and (iv) regulations.

Contact: Roberta L. Banning, Assistant Director, 3600 W.  
Broad St., Richmond, VA. 23230, telephone (804) 367-8590  
or toll-free 1-800-552-3016

## CRIMINAL JUSTICE SERVICES BOARD

† May 4, 1988 - 11 a.m. - Open Meeting  
General Assembly Building, Capitol Square, House Room C,  
Richmond, Virginia. ☐

A regular meeting to consider matters relating to the  
criminal justice system.

### Committee on Training

† May 4, 1988 - 9:30 a.m. - Open Meeting  
General Assembly Building, Capitol Square, House Room C,  
Richmond, Virginia. ☐

A meeting to discuss matters related to training of  
criminal justice system personnel.

Contact: Charles F. Turner, Staff Executive, 805 E. Broad  
St., 10th Fl., Richmond, Va. 23219, telephone (804)  
786-4000

## STATE BOARD OF EDUCATION

April 26, 1988 - 10 a.m. - Open Meeting  
April 27, 1988 - 9 a.m. - Open Meeting  
April 28, 1988 - 9 a.m. - Open Meeting  
Marine Science Museum, 717 General Booth Boulevard,  
Virginia Beach, Virginia

May 26, 1988 - 9 a.m. - Open Meeting  
May 27, 1988 - 9 a.m. - Open Meeting  
June 22, 1988 - 9 a.m. - Open Meeting  
June 23, 1988 - 9 a.m. - Open Meeting  
James Monroe Building, 101 North 14th Street, Conference  
Rooms D and E, Richmond, Virginia. ☐ (Interpreter for  
deaf provided if requested)

A regularly scheduled meeting. Business will be  
conducted according to items listed on the agenda.  
The agenda is available upon request. The public is  
reminded that the Board of Vocational Education may  
convene, if required.

Contact: Margaret N. Roberts, James Monroe Bldg., 101 N.  
14th St., 25th Fl., Richmond, Va. 23219, telephone (804)  
225-2540

## VIRGINIA EMERGENCY RESPONSE COUNCIL

† May 12, 1988 - 3 p.m. - Open Meeting  
Holiday Inn, Koger Center South, 1021 Koger Center  
Boulevard, Parlor D, Richmond, Virginia. ☐

1. Update on the (i) formation of local emergency  
planning committees (LEPCs); (ii) number of facilities  
reporting to the VERC under § 312 of SARA; (iii)  
Hazardous Materials Contingency Planning Courses;  
and (iv) SARA § 313 Workshops.

2. 1988 - 1990 Biennial Budget.

3. Liability Insurance Coverage for LEPC members.

4. Report from Governor's Task Force on Emergency  
Medical Response Disaster Planning.

Contact: Wayne T. Halbleib, Environmental Programs  
Administrator, Department of Waste Management, James  
Monroe Bldg., 11th Fl., 101 N. 14th St., Richmond, Va.  
23219, telephone (804) 225-2667 or SCATS 225-2667

## LOCAL EMERGENCY PLANNING COMMITTEE OF FAIRFAX COUNTY - TOWN OF VIENNA - CITY OF FAIRFAX - TOWN OF HERNDON

† May 12, 1988 - 10 a.m. - Open Meeting  
Wood Municipal Center, Old Lee Highway, Fairfax,  
Virginia. ☐

Local Emergency Planning Committee on Emergency  
Planning to meet as required by SARA Title III.

Contact: Melanie Pearson, Community Information  
Coordinator, 4031 University Dr., Suite 400, Fairfax, Va.  
22030, telephone (703) 246-2331

## LOCAL EMERGENCY PLANNING COMMITTEE FOR THE CITY OF MARTINSVILLE AND HENRY COUNTY

May 12, 1988 - 9:30 a.m. - Open Meeting  
Henry County Administration Building, Collinsville, Virginia.  
☐

An open meeting to discuss general business relating  
to SARA Title III and development of the emergency  
response plan.

Contact: Benny Summerlin, Public Safety Director, Henry  
County Administration Building, P. O. Box 7, Collinsville,  
Va. 24078, telephone (703) 638-5311, ext. 256

## FLOYD COUNTY EMERGENCY PLANNING COMMITTEE

† May 4, 1988 - 7 p.m. - Open Meeting  
County Courthouse, Circuit Courtroom, Floyd, Virginia. ☐

A meeting to discuss revised Emergency Operation  
Plan:

- basic section
- draft of Fire Service section.

Contact: Alan Thompson, Chairman, Route 4, Box 146,  
Floyd, Va. 24091, telephone (703) 745-3522

# Calendar of Events

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## **VIRGINIA BOARD OF FUNERAL DIRECTORS AND EMBALMERS**

May 17, 1988 - 9 a.m. - Open Meeting  
Department of Health Regulatory Boards, 1601 Rolling Hills Drive, Koger Center-West, Conference Room 1, Richmond, Virginia

A meeting to (i) administer examinations; (ii) conduct formal administrative hearings; (iii) conduct a general board meeting; and (iv) discuss proposed regulations.

Contact: Mark L. Forberg, Executive Secretary, 1601 Rolling Hills Dr., Richmond, Va. 23229-5005, telephone (804) 662-9907

## **VIRGINIA HAZARDOUS MATERIALS EMERGENCY RESPONSE ADVISORY COUNCIL**

† May 12, 1988 - 10 a.m. - Open Meeting  
Holiday Inn, Koger Center South, 1021 Koger Center Boulevard, Parlor D, Richmond, Virginia. ☒

The business of the meeting will consist of (i) an update of response and training programs; (ii) briefing of proposed Level II Enhanced Response Concept; and (iii) briefing of hazardous materials training ad hoc committee status and proposed changes.

Contact: Addison E. Slayton, Jr., State Coordinator, Department of Emergency Services, 310 Turner Rd., Richmond, Va. 23225, telephone (804) 674-2497

## **HEALTH POLICY OFFICE, VIRGINIA COMMONWEALTH UNIVERSITY OFFICE OF THE SECRETARY OF HUMAN RESOURCES, COMMONWEALTH OF VIRGINIA**

May 9, 1988 - 8 a.m. - Open Meeting  
May 10, 1988 - 8 a.m. - Open Meeting  
Omni Richmond Hotel, 100 South 12th Street, Richmond, Virginia. ☒

VCU Conference - AIDS: Living and Working With a New Epidemic.

See General Notices section.

Contact: Ann Potter, MCV Station, Box 48, Richmond, Va. 23298-0048, telephone (804) 786-0494

## **VIRGINIA HEALTH SERVICES COST REVIEW COUNCIL**

April 27, 1988 - 9:30 a.m. - Open Meeting  
Department of Rehabilitative Services, 4901 Fitzhugh Avenue, Richmond, Virginia. ☒

A monthly meeting to address financial, policy or

technical matters which may have arisen since the last meeting.

Contact: Ann Y. McGee, Director, 805 E. Broad St., 9th Fl., Richmond, Va. 23219, telephone (804) 786-6371 or SCATS 786-6371

## **VIRGINIA BOARD OF HEARING AID DEALERS AND FITTERS**

† May 2, 1988 - 8:30 a.m. - Open Meeting  
Travelers Building, 3600 West Broad Street, Richmond, Virginia. ☒

A meeting to review (i) enforcement cases; (ii) correspondence; (iii) applications; and (iv) regulations.

Contact: Roberta L. Banning, Assistant Director, 3600 W. Broad St., Richmond, Va. 23230, telephone (804) 367-8590 or toll-free 1-800-552-3016

## **STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA**

† May 4, 1988 - 9 a.m. - Open Meeting  
James Monroe Building, 101 North 14th Street, 9th Floor Conference Room, Richmond, Virginia. ☒

A monthly council meeting. The agenda will be available upon request.

Contact: Marla Richardson, 101 N. 14th St., 9th Fl., Richmond, Va. 23219, telephone (804) 225-2638

## **HOPEWELL INDUSTRIAL SAFETY COUNCIL**

May 3, 1988 - 9 a.m. - Open Meeting  
† June 7, 1988 - 9 a.m. - Open Meeting  
† July 5, 1988 - 9 a.m. - Open Meeting  
Hopewell Community Center, Second and City Point Road, Hopewell, Virginia. ☒ (Interpreter for deaf provided if requested)

Local Emergency Preparedness Committee meeting on emergency preparedness as required by SARA Title III.

Contact: Robert Brown, Emergency Service Coordinator, City of Hopewell, 300 N. Main St., Hopewell, Va. 23860, telephone (804) 541-2298

## **BOARD OF HOUSING AND COMMUNITY DEVELOPMENT**

### **Amusement Device Technical Advisory Committee**

† May 10, 1988 - 8:30 a.m. - Open Meeting

205 North 4th Street, 7th Floor Conference Room, Richmond, Virginia. ☒

A meeting to review and discuss regulations pertaining to the construction, maintenance, operation and inspection of amusement devices adopted by the Board of Housing and Community Development.

**Contact:** Jack A. Proctor, CPCA, Deputy Director, Division of Building Regulatory Services, Department of Housing and Community Development, 205 N. 4th St., Richmond, Va. 23219-1747, telephone (804) 786-4752

## COUNCIL ON HUMAN RIGHTS

† April 28, 1988 - 10 a.m. - Open Meeting  
James Monroe Building, 101 North 14th Street, 17th Floor Conference Room, Richmond, Virginia. ☒

A monthly council meeting.

**Contact:** Alison Browne Parks, Executive Assistant, Council on Human Rights, P. O. Box 717, Richmond, Va. 23206, telephone (804) 225-2438 or SCATS 225-2438

## COUNCIL ON INDIANS

May 11, 1988 - 2 p.m. - Open Meeting  
Ninth Street Office Building, Cabinet Conference Room, 6th Floor, Richmond, Virginia. ☒

A regular business meeting.

**Contact:** Mary Zoller, Special Assistant, Office of the Secretary of Human Resources, Ninth Street Office Bldg., Richmond, Va. 23219, telephone (804) 786-7765

## GOVERNOR'S JOB TRAINING COORDINATING COUNCIL

April 25, 1988 - 10:30 a.m. - Open Meeting  
State Capitol, Capitol Square, House Room 1, Richmond, Virginia. ☒

A general meeting of the council open to the public.

**Contact:** Gladys Walker, Governor's Employment and Training Department, P. O. Box 12083, Richmond, Va. 23219, telephone (804) 786-7900

## LIBRARY BOARD

April 26, 1988 - 9:30 a.m. - Open Meeting  
Virginia State Library and Archives, 11th Street and Capitol Square, Supreme Court Room, Richmond, Virginia. ☒

A regular meeting to discuss administrative matters.

**Contact:** Jean K. Reynolds, Virginia State Library and Archives, 11th St. and Capitol Sq., Richmond, Va. 23219, telephone (804) 786-2332

## Public Records Advisory Council

May 19, 1988 - 10 a.m. - Open Meeting  
Virginia State Library and Archives, 11th Street and Capitol Square, Richmond, Virginia. ☒ (Interpreter for deaf provided if requested)

This will be an organizational meeting. Items to be discussed include: (i) general records retention and disposition schedules; (ii) standards for microfilm, recorded instruments, plats, and paper; and (iii) the Public Records Act.

**Contact:** Louis H. Manarin, State Archivist, Virginia State Library and Archives, 11th St. and Capitol Sq., Richmond, Va. 23219, telephone (804) 786-5579 or SCATS 786-5579

## COMMISSION ON LOCAL GOVERNMENT

May 17, 1988 - 9 a.m. - Open Meeting  
Ninth Street Office Building, Ninth and Grace Streets, Room 901, Richmond, Virginia. ☒

A regular meeting of the Commission on Local Government to consider such matters as may be presented.

**Contact:** Barbara W. Bingham, Executive Secretary Senior, Ninth Street Office Bldg., Room 901, Richmond, Va. 23219, telephone (804) 786-6508

## MARINE RESOURCES COMMISSION

† May 2, 1988 - 1 p.m. - Open Meeting  
May 3, 1988 - 9:30 a.m. - Open Meeting  
Newport News City Council Chambers, 2400 Washington Avenue, Newport News, Virginia. ☒

The Virginia Marine Resources Commission will meet on the first Tuesday of each month, except May, at which time the meeting will begin on Monday, May 2, 1988, at 1 p.m. and continue on Tuesday, May 3, 1988, at 9:30 a.m. in Newport News City Council Chambers, located at 2400 Washington Avenue, Newport News, Virginia. The commission will hear and decide cases on fishing licensing; oyster ground leasing; environmental permits in wetlands, bottomlands, coastal sand dunes and beaches. It will also hear and decide appeals made on local wetlands board decisions.

Fishery management and conservation measures will be discussed by the commission. The commission is



# Calendar of Events

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empowered to exercise general regulatory power within 15 days, and is empowered to take specialized marine life harvesting and conservation measures within five days.

Contact: Sandra S. Schmidt, Secretary to the Commission, 2401 West Ave., P. O. Box 756, Newport News, Va. 23607-0756, telephone (804) 247-2206

\* \* \* \* \*

## Habitat Management Division

May 3, 1988 - 9:30 a.m. - Public Hearing  
Newport News City Council Chambers, Newport News, Virginia

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Marine Resources Commission intends to adopt guidelines entitled: **VR 450-01-0047. Criteria for the Siting of Marinas or Community Facilities for Boat Mooring.** The purpose of these guidelines is to set forth criteria which will be used by the Virginia Marine Resources Commission to evaluate the siting of marinas and community boat mooring facilities pursuant to the permitting authority provided in § 62.1-3 of the Code of Virginia.

Statutory Authority: § 62.1-3 of the Code of Virginia.

Written comments may be submitted until April 15, 1988.

Contact: Norman E. Larsen, Chief, Habitat Management, Marine Resources Commission, P. O. Box 756, Newport News, Va. 23607-0756, telephone (804) 247-2200

## GOVERNOR'S ADVISORY BOARD ON MEDICAID AND MEDICARE

April 26, 1988 - 2 p.m. - Open Meeting  
Richmond Hyatt, West Broad Street and I-64, Richmond, Virginia. ☐

An open meeting to discuss (i) amendments to the Medicaid State Plan and (ii) other business pertinent to the board.

Contact: Jacqueline M. Fritz, 600 E. Broad St., Suite 1300, Richmond, Va. 23219, telephone (804) 786-7958

## BOARD OF MEDICAL ASSISTANCE SERVICES

May 10, 1988 - 10 a.m. - Open Meeting  
600 East Broad Street, Suite 1300, Richmond, Virginia. ☐

An open meeting to discuss (i) amendments to Medicaid State Plan; and (ii) other business pertinent to the board.

Contact: Jacqueline M. Fritz, Department of Medical

Assistance Services, 600 E. Broad St., Suite 1300, Richmond, Va. 23219, telephone (804) 786-7958

## DEPARTMENT OF MEDICAL ASSISTANCE SERVICES (BOARD OF)

May 16, 1988 - Written comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Medical Assistance Services intends to adopt regulations entitled: **State Plan for Medical Assistance Relating to Extended Repayment Schedule (VR 460-02-4.191, 460-02-4.192, 460-03-4.194).** The proposed regulation authorizes the director to extend scheduled repayments of overpayments in certain circumstances.

Statutory Authority: § 32.1-325 of the Code of Virginia.

Contact: Victoria P. Simmons, Regulatory Coordinator, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, Va. 23219, telephone (804) 786-7933 or SCATS 786-7933

## VIRGINIA STATE BOARD OF MEDICINE

### Informal Conference Committee

April 27, 1988 - 9 a.m. - Open Meeting  
Radisson Hotel Lynchburg, 601 Main Street, Lynchburg, Virginia. ☐

† May 13, 1988 - 1 p.m. - Open Meeting  
† May 18, 1988 - 9 a.m. - Open Meeting  
Department of Health Regulatory Boards, 1601 Rolling Hills Drive, Surry Building, Board Room 1, 2nd Floor, Richmond, Virginia. ☐

A meeting to inquire into allegations that certain practitioners may have violated laws and regulations governing the practice of medicine in Virginia. The committee will meet in open and closed sessions pursuant to § 2.1-344 of the Code of Virginia.

Contact: Eugenia K. Dorson, Board Administrator, 1601 Rolling Hills Dr., Surry Bldg., 2nd Floor, Richmond, Va. 23229-5005, telephone (804) 662-9925

## STATE MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES BOARD

April 27, 1988 - 9:30 a.m. - Open Meeting  
Fairfax-Falls Church Community Services Board, Vienna, Virginia. ☐

A regular monthly meeting. The agenda will be published on April 20 and may be obtained by calling

Jane Helfrich.

**Contact:** Jane V. Helfrich, State Board Staff, Department of Mental Health, Mental Retardation and Substance Abuse Services, P. O. Box 1797, Richmond, Va. 23214, telephone (804) 786-3921

## DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES

### Mental Health Planning Council

† **May 5, 1988 - 1 p.m.** – Open Meeting  
General Assembly Building, Capitol Square, 6th Floor Dining Room, Richmond, Virginia. ☒

Initial meeting of the Mental Health Planning Council, established to meet the requirements of P.L. 99-660, the Mental Health Planning Act.

**Contact:** Leslie Tremaine, Ed.D. or Charline Davidson, Department of Mental Health, Mental Retardation and Substance Abuse Services, P. O. Box 1797, Richmond, Va. 23214, telephone (804) 786-2991 or (804) 786-3904

## DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES; UNIVERSITY OF VIRGINIA INSTITUTE OF LAW, PSYCHIATRY AND PUBLIC POLICY, DIVISION OF CONTINUING EDUCATION, OFFICE OF CONTINUING LEGAL EDUCATION AND OFFICE OF CONTINUING MEDICAL EDUCATION

**May 19, 1988 - 8:30 a.m.** – Open Meeting  
**May 20, 1988 - 8:30 a.m.** – Open Meeting  
Williamsburg Hilton, Colonial Williamsburg, Virginia. ☒

Eleventh Annual Symposium on Mental Health and the Law

An annual symposium addressing issues related to mental health and the law. Nine hours in Category 1 CME, .9 CEU and 9 CLE credits applied for.

**Contact:** Lynn Daidone, Administrator, Institute of Law, Psychiatry and Public Policy, Box 100, Blue Ridge Hospital, Charlottesville, Va. 22901, telephone (804) 924-5435

## PROTECTION AND ADVOCACY FOR THE MENTALLY ILL ADVISORY BOARD

**April 29, 1988 - 10 a.m.** – Open Meeting  
James Monroe Building, 101 North 14th Street, 18th Floor Conference Room, Richmond, Virginia. ☒ (Interpreter for deaf provided if requested)

A regularly scheduled meeting.

**Contact:** Barbara Hoban, PA/MI Program Manager, Department for Rights of the Disabled, James Monroe Bldg., 101 N. 14th St., 17th Fl., Richmond, Va. 23219, telephone (804) 225-2042, toll-free 1-800-552-3962, SCATS 225-2042, 225-2042/TDD or 1-800-552-3962/TDD ☒

## DEPARTMENT OF MINES, MINERALS AND ENERGY

### Division of Mined Land Reclamation

† **May 3, 1988 - 2 p.m.** – Open Meeting  
Division's AML Conference Room, 622 Powell Avenue, Big Stone Gap, Virginia. ☒

The purpose of this public meeting is to give interested persons an opportunity to be heard in regard to the proposed amendment to the FY87 AML Construction Grant. This proposed amendment will add an additional AML project to this grant. The White Oak Branch Highwall Project grant application will be submitted to the Federal Office of Surface Mining.

**Contact:** Roger L. Williams, Abandoned Mine Land Manager, P. O. Drawer U, 622 Powell Ave., Big Stone Gap, Va. 24219, telephone (703) 523-2925

### Board of Surface Mining Review

† **May 5, 1988 - 1 p.m.** – Open Meeting  
Lynchburg Circuit Courthouse, 900 Court Street, Lynchburg, Virginia

May Brothers Construction - appeal to the Board of Surface Mining Review.

**Contact:** William O. Roller, Director, Division of Mineral Mining, P. O. Box 4499, Lynchburg, Va. 24502, telephone (804) 239-0602

## VIRGINIA STATE BOARD OF NURSING

† **May 23, 1988 - 9 a.m.** – Open Meeting  
† **May 24, 1988 - 9 a.m.** – Open Meeting  
† **May 25, 1988 - 9 a.m.** – Open Meeting  
Department of Health Regulatory Boards, 1601 Rolling Hills Drive, Richmond, Virginia. ☒

A regular meeting to consider matters related to nursing education programs, discipline of licensees, licensing by examination and endorsement and other matters under jurisdiction of the board. At 1:30 p.m. on May 23, 1988, the board will consider comments on intended regulatory action and propose new and amended regulations as follows:

1. A new regulation for the direction or supervision of licensed practical nurses as required by § 54-377.2 of the Code of Virginia as amended by the 1988 General Assembly;

# Calendar of Events

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2. A new regulation requiring licensees to report a change of address; and
3. Amend, for clarity and enforceability, regulations related to approval of nursing education programs.

## Informal Conference Committee

**April 28, 1988 - 8:30 a.m. - Open Meeting**  
Department of Health Regulatory Boards, 1601 Rolling Hills Drive, Conference Room 2, Richmond, Virginia. ☐ (Interpreter for deaf provided if requested)

A meeting to inquire into allegations that certain licensees may have violated laws and regulations governing the practice of nursing in Virginia.

**Contact:** Corinne F. Dorsey, R.N., Executive Director, 1601 Rolling Hills Dr., Richmond, Va. 23229, telephone (804) 662-9909, toll-free 1-800-533-1560 or SCATS 662-9909

## VIRGINIA STATE BOARD OF OPTICIANS

† **May 12, 1988 - 9 a.m. - Open Meeting**  
Travelers Building, 3600 West Broad Street, Richmond, Virginia. ☐

A meeting to review (i) enforcement cases; (ii) applications; and (iii) correspondence.

**Contact:** Roberta L. Banning, Assistant Director, 3600 W. Broad St., Richmond, Va. 23230, telephone (804) 367-8590 or toll-free 1-800-552-3016

## VIRGINIA BOARD OF OPTOMETRY

**May 1, 1988 - Written comments may be submitted until this date.**

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Virginia Board of Optometry intends to amend regulations entitled: **VR 510-01-1. Regulations of the Virginia Board of Optometry.** The proposed amendments increase the fees charged to optometrists for licensure and examination.

Statutory Authority: § 54-376 of the Code of Virginia.

Written comments may be submitted until May 1, 1988.

**Contact:** Moira C. Lux, Executive Director, Board of Optometry, 1601 Rolling Hills Dr., Richmond, Va. 23229, telephone (804) 662-9910

† **May 11, 1988 - 8:30 a.m. - Open Meeting**  
† **May 12, 1988 - 8:30 a.m. - Open Meeting**  
Hyatt Regency/Crystal City, 2799 Jefferson Davis Highway, Suite 408, Arlington, Virginia. ☐

General business and informal conferences.

**Contact:** Moira C. Lux, Executive Director, Board of Optometry, 1601 Rolling Hills Dr., Richmond, Va. 23229, telephone (804) 662-9910

## STATE BOARD OF PHARMACY

† **June 1, 1988 - 1 p.m. - Open Meeting**  
† **June 2, 1988 - 9 a.m. - Open Meeting**  
General Assembly Building, Capitol Square, 4th Floor West Conference Room, Richmond, Virginia. ☐

The board will consider the necessity for promulgation of regulations dealing with an examination on drug laws for applicants for licensure by endorsement response to HB 515 amending § 54-524.26 of the Code of Virginia.

The board will consider the promulgation of licensure and other requirements for practitioners of the healing arts who engage in the selling or dispensing of drugs in response to SB 425 amending § 54-317 of the Code of Virginia.

The board will discuss increases in licensure fees to increase revenue to provide necessary funds for licensure, inspection and enforcement requirements.

Routine board business.

**Contact:** Jack B. Carson, Executive Director, Virginia Board of Pharmacy, 1601 Rolling Hills Dr., Richmond, Va. 23229, telephone (804) 662-9911

## VIRGINIA BOARD OF PSYCHOLOGY

**April 28, 1988 - 9 a.m. - Open Meeting**  
Department of Health Regulatory Boards, 1601 Rolling Hills Drive, Richmond, Virginia. ☐

A meeting to conduct general board business.

**Contact:** Stephanie A. Sivert, Executive Director, or Phyllis Henderson, Administrative Assistant, 1601 Rolling Hills Dr., Richmond, Va. 23229-5005, telephone (804) 662-9913

## BOARD OF REHABILITATIVE SERVICES

**April 29, 1988 - 9:30 a.m. - Open Meeting**  
Department of Rehabilitative Services, 4901 Fitzhugh Avenue, Richmond, Virginia. ☐ (Interpreter for deaf provided if requested)

A meeting to (i) review committee reports on legislative and financial matters, (ii) develop fiscal and programmatic policies affecting the department and Woodrow Wilson Rehabilitation Center, and (iii)

conduct the regular business of the board.

## Finance Committee and Program Committee

**April 28, 1988 - 1 p.m. - Open Meeting**  
Department of Rehabilitative Services, 4901 Fitzhugh Avenue, Richmond, Virginia. ☒ (Interpreter for deaf provided if requested)

The committee will meet jointly to develop fiscal and programmatic policies for consideration of the board. It will review and comment on the department's preparation of the FY 1989 budget.

## Legislation and Analysis Committee

**April 28, 1988 - 1 p.m. - Open Meeting**  
Department of Rehabilitative Services 4901 Fitzhugh Avenue, Richmond, Virginia. ☒ (Interpreter for deaf provided if requested)

A meeting to review legislative activity impacting the department and Woodrow Wilson Rehabilitation Center and develop policy recommendations to be considered by the board at its regular meeting.

**Contact:** James L. Hunter, Board Administrator, Department of Rehabilitative Services, 4901 Fitzhugh Ave., Richmond, Va. 23230, telephone (804) 367-6446, toll-free 1-800-552-5019, SCATS 367-6446 or 367-0280/TDD ☎

## STATE SEWAGE HANDLING AND DISPOSAL APPEALS REVIEW BOARD

† **June 29, 1988 - 10 a.m. - Open Meeting**  
General Assembly Building, Capitol Square, Senate Room A, Richmond, Virginia. ☒

A meeting to hear and render a decision on all appeals of denials of on-site sewage disposal system permit.

**Contact:** Deborah E. Randolph, 109 Governor St., Room 500, Richmond, Va. 23219, telephone (804) 786-3559

## DEPARTMENT OF SOCIAL SERVICES (BOARD OF)

**June 22, 1988 - 9 a.m. - Public Hearing**  
Blair Building, 8007 Discovery Drive, Conference Rooms A and B, Richmond, Virginia

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: **VR 615-98-1. Virginia Fuel Assistance Program.** The purpose of the proposed amendment is to assist low income households with the cost of energy needs.

Statutory Authority: § 63.1-25 of the Code of Virginia.

Written comments may be submitted until June 10, 1988.

**Contact:** Charlene H. Chapman, Supervisor, Energy and Emergency Assistance, Division of Benefit Programs, 8007 Discovery Dr., Richmond, Va. 23229-8699, telephone (804) 662-9050 or toll-free 1-800-552-7091

## VIRGINIA SOIL AND WATER CONSERVATION BOARD

**May 19, 1988 - 9 a.m. - Open Meeting**  
203 Governor Street, Room 200, Richmond, Virginia

A regular bi-monthly business meeting.

**Contact:** Donald L. Wells, 203 Governor St., Suite 206, Richmond, Va. 23219, telephone (804) 786-4356

## SUSSEX COUNTY LOCAL EMERGENCY PLANNING COMMITTEE

**May 10, 1988 - 7 p.m. - Open Meeting**  
Sussex Courthouse, School Board Room, Sussex, Virginia

A meeting to identify possible toxic waste problem areas and to continue work on the local county plan.

**Contact:** C. Taylor Everett, Chairman, P. O. Box 189, Waverly, Va. 23890, telephone (804) 834-2160

## DEPARTMENT OF TRANSPORTATION (COMMONWEALTH TRANSPORTATION BOARD)

**May 3, 1988 - 7 p.m. - Public Hearing**  
Virginia Department of Transportation Auditorium, 1401 East Broad Street, Richmond, Virginia

**May 4, 1988 - 7 p.m. - Public Hearing**  
Lake Ridge High School (Suffolk District), Virginia

**May 5, 1988 - 7 p.m. - Public Hearing**  
Salem Virginia Department of Transportation District Office, Salem, Virginia

**May 10, 1988 - 4 p.m. - Public Hearing**  
Garfield High School, Northern Virginia

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Transportation intends to adopt regulations entitled: **VR 385-01-07. Virginia Department of Transportation Noise Abatement Policy.** The proposed regulation establishes consistent criteria for providing noise abatement on all proposed highway projects in the Commonwealth.

Statutory Authority: § 33.1-12 of the Code of Virginia

Written comments may be submitted until May 10, 1988.

# Calendar of Events

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**Contact:** A. C. Anday, Coordinator, Air, Noise and Energy Section, Department of Transportation, 1401 E. Broad St., 11th Fl., Richmond, Va. 23219, telephone (804) 786-6556 or SCATS 786-6556

## VIRGINIA BOARD OF VETERINARY MEDICINE

† **May 10, 1988 - 8 a.m.** – Open Meeting  
Department of Motor Vehicles, 2300 West Broad Street, Agcroft Room, Richmond, Virginia. ☐

Administration of the National Board Examination.

† **May 11, 1988 - 8 a.m.** – Open Meeting  
Department of Motor Vehicles, 2300 West Broad Street, Agcroft Room, Richmond, Virginia. ☐

Administration of the Clinical Competency Test.

**Contact:** Moira C. Lux, Executive Director, 1601 Rolling Hills Dr., Richmond, Va. 23229, telephone (804) 662-9915

## BOARD FOR THE VISUALLY HANDICAPPED

**May 4, 1988 - 11 a.m.** – Open Meeting  
Administrative Headquarters, 397 Azalea Avenue, Richmond, Virginia. ☐

A bi-monthly meeting to review policy and procedures of the Virginia Department for the Visually Handicapped. The board reviews and approves the department's budget, executive agreement, and operating plan.

**Contact:** Barbara G. Tyson, Acting Executive Secretary Senior, 397 Azalea Ave., Richmond, Va. 23227, telephone (804) 371-3145, toll-free 1-800-622-2155, SCATS 371-3145 or 371-3140/TDD ☐

## VIRGINIA VOLUNTARY FORMULARY BOARD

† **June 3, 1988 - 10 a.m.** – Public Hearing  
James Madison Building, 109 Governor Street, Main Floor Conference Room, Richmond, Virginia. ☐

The Virginia Voluntary Formulary Board will hold a public hearing on this date. The purpose of this hearing is to consider the proposed adoption and issuance of a revised Virginia Voluntary Formulary. The proposed revision to the Formulary adds and deletes drugs and drug products to the Formulary that became effective on November 1, 1987, and a supplement to the Formulary that becomes effective on May 1, 1988.

Copies of the proposed revisions to the Formulary are available for inspection at the Virginia Department of

Health, Bureau of Pharmacy Services, James Madison Building, 109 Governor Street, Richmond, Virginia. Written comments sent to the above address and received prior to 5 p.m., June 3, 1988, will be made a part of the hearing record and considered by the board.

**Contact:** James K. Thomson, Director, Bureau of Pharmacy Services, Virginia Department of Health, 109 Governor St., Richmond, Va. 23219, telephone (804) 786-4326

## STATE WATER CONTROL BOARD

**April 26, 1988 - 7 p.m.** – Public Hearing  
Isle of Wight Courthouse, Highway 258, Board of Supervisors Room, Isle of Wight, Virginia

A public hearing to receive comments on the proposed NPDES Permit to the Catholic Community of Smithfield, the issuance or denial of the permit, the effect of the discharges on water quality or beneficial uses of state waters, and the socio-economic effect of the proposal including its relationship to shellfish.

**June 27, 1988 - 9 a.m.** – Open Meeting

**June 28, 1988 - 9 a.m.** – Open Meeting  
General Assembly Building, Capitol Square, Senate Room B, Richmond, Virginia. ☐

A regular quarterly meeting.

**Contact:** Doneva A. Dalton, State Water Control Board, P. O. Box 11143, Richmond, Va. 23230, telephone (804) 367-6829

\* \* \* \* \*

† **June 6, 1988 - 7 p.m.** – Public Hearing  
Norfolk City Council Chambers, City Hall Building, 810 Union Street, Norfolk, 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: **VR 680-21-01.13. Tributyltin in Surface Waters - Water Quality Standards.** The purpose of the proposed amendment is to establish an instream water quality standard for tributyltin.

## STATEMENT

**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 or cancelled.

**Purpose:** This amendment establishes an instream water quality standard for tributyltin (TBT), an extremely toxic biocide which has been found to be harmful to many aquatic organisms in extremely low concentrations. The Environmental Protection Agency's Advisory on Tributyltin was used as the basis for developing a state water quality standard for tributyltin.

**Impact:** A water quality standard for tributyltin may impact the following types of dischargers which potentially could use or produce products containing TBT: commercial ship and boat builders, paint manufacturers, publicly owned treatment works, textile manufacturers, pulp and paper industries, wood preserver companies, and cooling water discharges for public utilities and industry.

Statutory Authority: § 62.1-44.15(3) of the Code of Virginia.

Written comments may be submitted until 5 p.m., June 24, 1988, to Doneva Dalton, Hearing Reporter, State Water Control Board, P. O. Box 11143, Richmond, Virginia 23230.

**Contact:** Jean Gregory, Office of Environmental Research and Standards, State Water Control Board, P. O. Box 11143, Richmond, Va. 23230, telephone (804) 367-6985

\* \* \* \* \*

† June 7, 1988 - 7 p.m. - Public Hearing  
Loudoun County Board of Supervisors Room, County Administration Building, 18 North King Street, Leesburg, 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: **VR 680-11-04. Policy for Waste Treatment and Water Quality Management for the Dulles Area Watershed.** The purpose of this action is to amend the policy to reduce the minimum separation distance between wastewater discharges in the Dulles Area Watershed and downstream public water supply intakes from 15 stream miles to five stream miles.

STATEMENT

**Basis:** 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 water 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.

The Dulles Area Watershed Policy was adopted by the State Water Control Board in January, 1975, for the purpose of protecting several major public water supply intakes on the Potomac River downstream of the watershed.

The existing policy allows two sewage treatment plants in the watershed (one already exists), and specifies effluent limits and reliability standards for each. In addition, the policy requires a minimum separation distance of 15 stream miles between the wastewater discharges and the water intakes located downstream.

**Purpose:** The purpose of the proposed amendment is to reduce the minimum separation distance between wastewater discharges in the Dulles Area Watershed and downstream public water supply intakes from 15 stream miles to five stream miles.

This action is in response to a recent request from the Loudoun County Sanitation Authority for permission to construct a regional wastewater facility in the Dulles Area Watershed approximately 10 miles above existing public water supply intakes.

The State Department of Health, which regulates public water supply systems, has indicated that a separation distance of five stream miles is in conformance with its policies to protect public health. Since no water quality impact would result from the proposed amendment and no unacceptable public health risks are associated with the change, the State Water Control Board is proposing to amend the 15 mile separation requirement.

**Impact:** The impact of the proposed regulatory amendment would be to allow the construction of a regional wastewater treatment facility to serve the developing areas of eastern Loudoun and western Fairfax counties in a more cost-efficient and environmentally sound manner. Construction of a treatment facility at the proposed site would require less pumping of wastewaters than if the facility was located further upstream, due to a lower topographic elevation. This would result in significant cost savings for facility users. Potential water quality impacts on Broad Run would also be slightly reduced, due to greater natural flows in the stream at the downstream location.

The State Department of Health indicates that the proposed action will not result in any unacceptable health risks for users of the public water supply systems located downstream. Public health protection is maintained by the proposed five-mile separation distance, as well as the stringent wastewater treatment requirements and the drinking water treatment process.

Statutory Authority: § 62.1-44.15(3) of the Code of Virginia.

Written comments may be submitted until 5 p.m., June 24, 1988, to Doneva Dalton, Hearing Reporter, State Water Control Board, P. O. Box 11143, Richmond, Virginia 23230.

**Contact:** Steve Hogye, Supervisor of Water Resources Development, State Water Control Board, Northern Regional Office, 5515 Cherokee Avenue, Suite 404, Alexandria, Va. 22312, telephone (703) 750-9111 or SCATS 466-4950

# Calendar of Events

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† June 9, 1988 - 7 p.m. - Public Hearing  
Paul D. Camp Community College, Lecture Hall, Room  
143, Franklin, 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: **VR 680-21-07.03. Nutrient Enriched Waters - Water Quality Standards.** The purpose of the amendment is to designate the tidal freshwater portions of the Blackwater River and Nottoway River as "nutrient enriched waters."

## STATEMENT

**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 or cancelled. Subsection F of regulation VR 680-14-02, "Policy for Nutrient Enriched Waters," states that the State Water Control Board may entertain petitions from adjoining states to consider rulemakings to control "nutrient enriched waters" of the adjoining state.

**Purpose:** The state of North Carolina through its Department of Natural Resources and Community Development, has petitioned the State Water Control Board to designate the Chowan River Basin as "nutrient enriched waters" pursuant to the board's Policy on Nutrient Enriched Waters. The state of North Carolina has provided documentation that the mean summer chlorophyll "a" values in the Chowan River in northeastern North Carolina frequently exceed 25 micrograms per liter and that the river has experienced periodic nuisance algal blooms since the early 1970's. Excessive inputs of nutrients (phosphorus and nitrogen) were determined to have been the cause of these growths, and in 1979 the state of North Carolina designated the Chowan River as "nutrient sensitive waters" to provide the authority to reduce nutrient inputs. Since 70% of the drainage area of this river basin lies in Virginia, approximately 20% of which is tidal, North Carolina has requested that Virginia designate its portion of this basin as "nutrient enriched waters" in order to provide a compatible designation in both states and to help ensure control of water quality in this river basin. Therefore, the board is proposing to amend the Water Quality Standard for Nutrient Enriched Waters, VR 680-21-07.03, to designate the tidal freshwater portions of the Blackwater River and Nottoway River as "nutrient enriched." A third Virginia tributary to the Chowan River, the Meherrin River, is not proposed for inclusion in this designation because it is not tidal in Virginia.

**Impact:** Once the water quality standards are amended to designate the tidal freshwater portions of the Blackwater and Nottoway Rivers as "nutrient enriched waters," certain municipal and industrial dischargers with effluents containing phosphorus would be required by the Policy for Nutrient Enriched Waters to maintain a monthly average total phosphorus concentration of 2 milligrams per liter or less. This amendment would initially impact one municipal discharger (Town of Franklin) at an estimated cost of \$165,000. Two industrial dischargers (Hercules and Union Camp) in the area are already meeting the total phosphorus limits that would be imposed by this policy.

Statutory Authority: § 62.1-44.15(3) of the Code of Virginia.

Written comment may be submitted until 5 p.m., June 24, 1988, to Doneva Dalton, Hearing Reporter, State Water Control Board, P. O. Box 11143, Richmond, Virginia 23230.

**Contact:** Jean Gregory, Office of Environmental Research and Standards, State Water Control Board, P. O. Box 11143, Richmond, Va. 23230, telephone (804) 367-6985 or SCATS 367-6985

## COUNCIL ON THE STATUS OF WOMEN

May 13, 1988 - 10 a.m. - Open Meeting

May 14, 1988 - 10 a.m. - Open Meeting

Airfield Conference Center, Southeast 4-H Educational Center, Wakefield, Virginia

A planning meeting for the next biennium for standing committees and the council. An agenda may be obtained from the council office on May 1.

**Contact:** Bonnie H. Robinson, Executive Director, 8007 Discovery Dr., Richmond, Va. 23229-8699, telephone (804) 662-9200 or SCATS 662-9200

## CHRONOLOGICAL LIST

### OPEN MEETINGS

April 25

Cosmetology, Virginia Board of  
Job Training Coordinating Council, Governor's

April 26

† Conservation and Historic Resources, Department of  
- Shenandoah Scenic River Advisory Board  
Education, State Board of  
Library Board  
Medicaid and Medicare, Governor's Advisory Board on

April 27

Bedford County Local Emergency Planning Committee  
Conservation and Historic Resources, Department of  
- Division of Soil and Water Conservation

# Calendar of Events

Education, State Board of  
Health Services Cost Review Council, Virginia  
Medicine, Virginia State Board of  
- Informal Conference Committee  
Mental Health, Mental Retardation and Substance  
Abuse Services Board, State

## April 28

Education, State Board of  
† Human Rights, Council on  
Nursing, Virginia State Board of  
- Informal Conference Committee  
Psychology, Virginia Board of  
Rehabilitative Services, Board of  
- Finance Committee and Program Committee  
- Legislation and Analysis Committee

## April 29

Chesapeake Bay Commission  
Mentally Ill Advisory Board, Protection and Advocacy  
for the  
Rehabilitative Services, Board of

## May 2

† Hearing Aid Dealers and Fitters, Virginia Board of  
† Marine Resources Commission

## May 3

Auctioneers Board  
Hopewell Industrial Safety Council  
Marine Resources Commission  
† Mines, Minerals and Energy, Department of  
- Division of Mined Land Reclamation

## May 4

† Criminal Justice Services Board  
- Committee on Training  
† Floyd County Emergency Planning Committee  
† Higher Education for Virginia, State Council of  
Visually Handicapped, Board for the

## May 5

† Architects, Professional Engineers, Land Surveyors  
and Certified Landscape Architects, State Board of  
- Virginia State Board of Professional Engineers  
Chesterfield County, Local Emergency Planning  
Committee of  
† Conservation and Historic Resources, Department of  
- Goose Creek Scenic River Advisory Board  
† Mental Health, Mental Retardation and Substance  
Abuse Services, Department of  
- Mental Health Planning Council  
† Mines, Minerals and Energy, Department of  
- Board of Surface Mining Review

## May 6

† Architects, Professional Engineers, Land Surveyors  
and Certified Landscape Architects, State Board of  
- Virginia State Board of Architects

## May 9

Health Policy Office, Virginia Commonwealth  
University; Office of the Secretary of Human  
Resources, Commonwealth of Virginia

## May 10

Health Policy Office, Virginia Commonwealth  
University; Office of the Secretary of Human  
Resources, Commonwealth of Virginia  
† Housing and Community Development, Board of  
- Amusement Device Technical Advisory Committee  
Medical Assistance Services, Board of  
Sussex County Local Emergency Planning Committee  
† Veterinary Medicine, Virginia Board of

## May 11

Indians, Council on  
† Optometry, Virginia Board of  
† Veterinary Medicine, Virginia Board of

## May 12

† Emergency Planning Committee of Fairfax County -  
Town of Vienna - City of Fairfax - Town of Herndon,  
Local  
Emergency Planning for the City of Martinsville and  
Henry County, Local  
† Emergency Response Council, Virginia  
† Hazardous Materials Emergency Response Advisory  
Council, Virginia  
† Opticians, Virginia State Board of  
† Optometry, Virginia Board of  
Public Records Advisory Council

## May 13

Children's Residential Facilities, Interdepartmental  
Licensure and Certification of  
- Coordinating Committee  
† Medicine, Virginia State Board of  
- Informal Conference Committee  
Women, Council on the Status

## May 14

Women, Council on the Status

## May 16

Agricultural Council, Virginia  
† Cosmetology, Virginia Board of

## May 17

Funeral Directors and Embalmers, Virginia Board of  
Local Government, Commission on

## May 18

† Community Colleges, State Board for  
† Medicine, Virginia State Board  
- Informal Conference Committee

## May 19

† Architects, Professional Engineers, Land Surveyors  
and Certified Landscape Architects, State Board of  
- Virginia State Board of Land Surveyors  
Chesterfield County, Local Emergency Planning



# Calendar of Events

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Committee of  
† Community Colleges, State Board for  
Mental Health, Mental Retardation and Substance  
Abuse Services, Department of; University of Virginia  
Institute of Law, Psychiatry and Public Policy,  
Division of Continuing Education, Office of Continuing  
Legal Education and Office of Continuing Medical  
Education  
Soil and Water Conservation Board, Virginia

## May 20

† Architects, Professional Engineers, Land Surveyors  
and Certified Landscape Architects, State Board of  
Conservation and Historic Resources, Department of  
- Falls of the James Advisory Committee  
Mental Health, Mental Retardation and Substance  
Abuse Services, Department of; University of Virginia  
Institute of Law, Psychiatry and Public Policy,  
Division of Continuing Education, Office of Continuing  
Legal Education and Office of Continuing Medical  
Education

## May 23

† Nursing, Virginia State Board of

## May 24

† Nursing, Virginia State Board of

## May 25

† Nursing, Virginia State Board of

## May 26

Education, State Board of

## May 27

Education, State Board of

## June 1

† Pharmacy, State Board of

## June 2

Chesterfield County, Local Emergency Planning  
Committee of  
† Pharmacy, State Board of

## June 7

† Hopewell Industrial Safety Council

## June 10

Children's Residential Facilities, Interdepartmental  
Licensure and Certification of  
- Coordinating Committee

## June 22

Education, State Board of

## June 23

Education, State Board of

## June 27

Water Control Board, State

## June 28

Water Control Board, State

## June 29

† Sewage Handling and Disposal Appeals Review  
Board, State

## July 5

† Hopewell Industrial Safety Council

## PUBLIC HEARINGS

## April 26

Water Control Board, State

## May 3

Marine Resources Commission  
- Habitat Management Division  
Transportation, Department of

## May 4

Transportation, Department of

## May 5

Transportation, Department of

## May 10

Transportation, Department of

## June 3

† Voluntary Formulary Board, Virginia

## June 6

† Water Control Board, State

## June 7

† Water Control Board, State

## June 9

† Water Control Board, State

## June 22

Social Services, Department of

## June 28

Corrections, Department of

## July 7

Corrections, Department of

## July 13

Corrections, Department of