
THE VIRGINIA REGISTER INFORMATION PAGE

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 new and amended sections of regulations, both as proposed and as finally adopted, 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 and executive orders issued by the Governor, the Virginia Tax Bulletin issued periodically by the Department of Taxation, and notices of 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 intended regulatory action; a basis, purpose, substance and issues statement; an economic impact analysis prepared by the Department of Planning and Budget; the agency's response to the economic impact analysis; a summary; a notice giving the public an opportunity to comment on the proposal; and the text of the proposed regulation.

Following publication of the proposal in the *Virginia Register*, the promulgating agency receives public comments for a minimum of 60 days. The Governor reviews the proposed regulation to determine if it is necessary to protect the public health, safety and welfare, and if it is clearly written and easily understandable. If the Governor chooses to comment on the proposed regulation, his comments must be transmitted to the agency and the Registrar no later than 15 days following the completion of the 60-day public comment period. The Governor's comments, if any, will be published in the *Virginia Register*. Not less than 15 days following the completion of the 60-day public comment period, the agency may adopt the proposed regulation.

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 Registrar and the promulgating agency. The objection will be published in the *Virginia Register*. Within 21 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 agency again publishes the text of the regulation as adopted, highlighting all changes made to the proposed regulation and explaining any substantial changes made since publication of the proposal. A 30-day final adoption period begins upon final publication in the *Virginia Register*.

The Governor may review the final regulation during this time and, if he objects, forward his objection to the Registrar and the agency. In addition to or in lieu of filing a formal objection, the Governor may suspend the effective date of a portion or all of a regulation until the end of the next regular General Assembly session by issuing a directive signed by a majority of the members of the appropriate standing committees and the Governor. The Governor's objection or suspension of the regulation, or both, will be published in the *Virginia Register*. If the Governor finds that changes made to the proposed regulation have substantial impact, he may require the agency to provide an additional 30-day public comment period on the changes. Notice of the additional public comment period required by the Governor will be published in the *Virginia Register*.

The agency shall suspend the regulatory process for 30 days when it receives requests from 25 or more individuals to solicit additional public comment, unless the agency determines that the changes have minor or inconsequential impact.

A regulation becomes effective at the conclusion of the 30-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 21-day extension

period; (ii) the Governor exercises his authority to require the agency to provide for additional public comment, in which event the regulation, unless withdrawn, becomes effective on the date specified, which shall be after the expiration of the period for which the Governor has provided for additional public comment; (iii) the Governor and the General Assembly exercise their authority to suspend the effective date of a regulation until the end of the next regular legislative session; or (iv) the agency suspends the regulatory process, in which event the regulation, unless withdrawn, becomes effective on the date specified, which shall be after the expiration of the 30-day public comment period.

Proposed regulatory action may be withdrawn by the promulgating agency at any time before the regulation becomes final.

EMERGENCY REGULATIONS

If an agency demonstrates that (i) there is an immediate threat to the public's health or safety; or (ii) Virginia statutory law, the appropriation act, federal law, or federal regulation requires a regulation to take effect no later than (a) 280 days from the enactment in the case of Virginia or federal law or the appropriation act, or (b) 280 days from the effective date of a federal regulation, it then requests the Governor's approval to adopt 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 to addressing specifically defined situations and may not exceed 12 months in duration. Emergency regulations are published as soon as possible in the *Register*.

During the time the emergency status is in effect, the agency may proceed with the adoption of permanent regulations through the usual procedures. To begin promulgating the replacement regulation, the agency must (i) file the Notice of Intended Regulatory Action with the Registrar within 60 days of the effective date of the emergency regulation; and (ii) file the proposed regulation with the Registrar within 180 days of the effective date of the emergency regulation. If the agency chooses not 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 (§ 9-6.14:7.1 et seq.) of Chapter 1.1:1 of the Code of Virginia be examined carefully.

CITATION TO THE VIRGINIA REGISTER

The *Virginia Register* is cited by volume, issue, page number, and date. **12:8 VA.R. 1096-1106 January 8, 1996**, refers to Volume 12, Issue 8, pages 1096 through 1106 of the *Virginia Register* issued on January 8, 1996.

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This schedule is available on the *Register's* Internet home page (<http://legis.state.va.us/codecomm/register/regindex.htm>).

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15:3	October 7, 1998	October 26, 1998
15:4	October 21, 1998	November 9, 1998
15:5	November 4, 1998	November 23, 1998
15:6	November 17, 1998 (Tuesday)	December 7, 1998
15:7	December 2, 1998	December 21, 1998
INDEX 1 - Volume 15		January 1999
15:8	December 15, 1998 (Tuesday)	January 4, 1999
15:9	December 29, 1998 (Tuesday)	January 18, 1999
15:10	January 13, 1999	February 1, 1999
15:11	January 27, 1999	February 15, 1999
15:12	February 10, 1999	March 1, 1999
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15:16	April 7, 1999	April 26, 1999
15:17	April 21, 1999	May 10, 1999
15:18	May 5, 1999	May 24, 1999
15:19	May 19, 1999	June 7, 1999
15:20	June 2, 1999	June 21, 1999
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*Filing deadlines are Wednesdays unless otherwise specified.

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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
Title 2. Agriculture			
2 VAC 5-180-10	Amended	14:19 VA.R. 2666	7/8/98
2 VAC 5-180-20	Amended	14:19 VA.R. 2667	7/8/98
2 VAC 5-180-30	Amended	14:19 VA.R. 2668	7/8/98
2 VAC 5-180-50	Amended	14:19 VA.R. 2668	7/8/98
2 VAC 5-180-60	Amended	14:19 VA.R. 2668	7/8/98
2 VAC 5-180-80	Amended	14:19 VA.R. 2668	7/8/98
2 VAC 5-180-90	Amended	14:19 VA.R. 2669	7/8/98
2 VAC 5-180-120	Amended	14:19 VA.R. 2669	7/8/98
2 VAC 5-205-10 through 2 VAC 5-205-110	Added	14:19 VA.R. 2670	7/8/98
2 VAC 5-390-180	Amended	14:14 VA.R. 2136	3/1/98
Title 4. Conservation and Natural Resources			
4 VAC 5-20-20	Amended	14:24 VA.R. 3906	9/18/98
4 VAC 15-260-140	Amended	14:24 VA.R. 3907	9/1/98
4 VAC 15-260-170	Added	14:24 VA.R. 3907	9/16/98
4 VAC 15-290-140	Amended	14:16 VA.R. 2357	7/1/98
4 VAC 20-260-20	Amended	14:15 VA.R. 2231	3/13/98
4 VAC 20-280-10	Amended	14:16 VA.R. 2357	3/31/98
4 VAC 20-345-10	Added	14:15 VA.R. 2236	3/1/98
4 VAC 20-345-20	Added	14:15 VA.R. 2236	3/1/98
4 VAC 20-345-20	Amended	14:18 VA.R. 2513	5/4/98
4 VAC 20-345-30	Added	14:15 VA.R. 2236	3/1/98
4 VAC 20-345-40	Added	14:15 VA.R. 2237	3/1/98
4 VAC 20-345-40	Amended	14:18 VA.R. 2513	5/4/98
4 VAC 20-380-30	Amended	14:16 VA.R. 2357	3/31/98
4 VAC 20-380-60	Amended	14:16 VA.R. 2358	3/31/98
4 VAC 20-395-10 through 4 VAC 20-395-40	Added	14:22 VA.R. 3205-3206	7/1/98
4 VAC 20-500-40	Amended	14:14 VA.R. 2137	3/1/98
4 VAC 20-560-10	Amended	14:18 VA.R. 2514	5/1/98
4 VAC 20-560-20	Amended	14:18 VA.R. 2514	5/1/98
4 VAC 20-560-40	Amended	14:18 VA.R. 2515	5/1/98
4 VAC 20-560-50	Amended	14:18 VA.R. 2516	5/1/98
4 VAC 20-620-50	Amended	14:16 VA.R. 2358	4/1/98
4 VAC 20-620-60	Amended	14:16 VA.R. 2358	4/1/98
4 VAC 20-880-40	Amended	14:14 VA.R. 2137	3/1/98
4 VAC 20-880-40	Amended	14:18 VA.R. 2516	5/1/98
4 VAC 20-880-50	Amended	14:14 VA.R. 2138	3/1/98
4 VAC 20-880-50	Amended	14:18 VA.R. 2517	5/1/98
4 VAC 20-910-45	Amended	14:12 VA.R. 1915	1/30/98
4 VAC 20-950-30	Amended	14:16 VA.R. 2358	4/1/98
4 VAC 20-950-45	Added	14:12 VA.R. 1915	1/30/98
4 VAC 20-950-45	Amended	14:16 VA.R. 2359	4/1/98

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4 VAC 20-960-30	Amended	14:16 VA.R. 2359	4/1/98
4 VAC 20-960-45	Added	14:16 VA.R. 2359	4/1/98
4 VAC 20-1000-10	Added	14:12 VA.R. 1916	1/30/98
4 VAC 20-1000-20	Added	14:12 VA.R. 1916	1/30/98
4 VAC 20-1000-30	Added	14:12 VA.R. 1916	1/30/98
4 VAC 20-1000-40	Added	14:12 VA.R. 1916	1/30/98
4 VAC 25-40-10	Amended	14:17 VA.R. 2428	7/1/98
4 VAC 25-40-20	Repealed	14:17 VA.R. 2430	7/1/98
4 VAC 25-40-25	Added	14:17 VA.R. 2430	7/1/98
4 VAC 25-40-30	Repealed	14:17 VA.R. 2430	7/1/98
4 VAC 25-40-40	Amended	14:17 VA.R. 2430	7/1/98
4 VAC 25-40-50	Amended	14:17 VA.R. 2430	7/1/98
4 VAC 25-40-60	Repealed	14:17 VA.R. 2431	7/1/98
4 VAC 25-40-70	Amended	14:17 VA.R. 2431	7/1/98
4 VAC 25-40-80	Repealed	14:17 VA.R. 2431	7/1/98
4 VAC 25-40-90	Amended	14:17 VA.R. 2431	7/1/98
4 VAC 25-40-100	Amended	14:17 VA.R. 2431	7/1/98
4 VAC 25-40-110	Amended	14:17 VA.R. 2432	7/1/98
4 VAC 25-40-120	Amended	14:17 VA.R. 2432	7/1/98
4 VAC 25-40-130	Amended	14:17 VA.R. 2432	7/1/98
4 VAC 25-40-140	Amended	14:17 VA.R. 2432	7/1/98
4 VAC 25-40-145	Added	14:17 VA.R. 2432	7/1/98
4 VAC 25-40-180	Amended	14:17 VA.R. 2432	7/1/98
4 VAC 25-40-200	Amended	14:17 VA.R. 2432	7/1/98
4 VAC 25-40-210	Amended	14:17 VA.R. 2432	7/1/98
4 VAC 25-40-220	Amended	14:17 VA.R. 2432	7/1/98
4 VAC 25-40-250	Amended	14:17 VA.R. 2432	7/1/98
4 VAC 25-40-270	Amended	14:17 VA.R. 2432	7/1/98
4 VAC 25-40-300	Amended	14:17 VA.R. 2432	7/1/98
4 VAC 25-40-310	Amended	14:17 VA.R. 2432	7/1/98
4 VAC 25-40-320	Repealed	14:17 VA.R. 2432	7/1/98
4 VAC 25-40-350	Amended	14:17 VA.R. 2432	7/1/98
4 VAC 25-40-385	Added	14:17 VA.R. 2433	7/1/98
4 VAC 25-40-388	Added	14:17 VA.R. 2433	7/1/98
4 VAC 25-40-390	Amended	14:17 VA.R. 2434	7/1/98
4 VAC 25-40-400	Amended	14:17 VA.R. 2434	7/1/98
4 VAC 25-40-440	Amended	14:17 VA.R. 2434	7/1/98
4 VAC 25-40-450	Amended	14:17 VA.R. 2434	7/1/98
4 VAC 25-40-460	Amended	14:17 VA.R. 2434	7/1/98
4 VAC 25-40-490	Amended	14:17 VA.R. 2434	7/1/98
4 VAC 25-40-500	Amended	14:17 VA.R. 2434	7/1/98
4 VAC 25-40-510	Amended	14:17 VA.R. 2434	7/1/98
4 VAC 25-40-520	Amended	14:17 VA.R. 2434	7/1/98
4 VAC 25-40-530	Amended	14:17 VA.R. 2434	7/1/98
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4 VAC 25-40-590	Amended	14:17 VA.R. 2434	7/1/98
4 VAC 25-40-630	Amended	14:17 VA.R. 2434	7/1/98
4 VAC 25-40-660	Amended	14:17 VA.R. 2434	7/1/98
4 VAC 25-40-670	Amended	14:17 VA.R. 2435	7/1/98
4 VAC 25-40-690	Amended	14:17 VA.R. 2435	7/1/98
4 VAC 25-40-710	Amended	14:17 VA.R. 2435	7/1/98
4 VAC 25-40-720	Amended	14:17 VA.R. 2435	7/1/98
4 VAC 25-40-730	Repealed	14:17 VA.R. 2435	7/1/98
4 VAC 25-40-750	Repealed	14:17 VA.R. 2435	7/1/98

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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
4 VAC 25-40-770	Amended	14:17 VA.R. 2435	7/1/98
4 VAC 25-40-780	Amended	14:17 VA.R. 2435	7/1/98
4 VAC 25-40-790	Amended	14:17 VA.R. 2436	7/1/98
4 VAC 25-40-800	Amended	14:17 VA.R. 2436	7/1/98
4 VAC 25-40-810	Amended	14:17 VA.R. 2437	7/1/98
4 VAC 25-40-820	Amended	14:17 VA.R. 2437	7/1/98
4 VAC 25-40-830	Amended	14:17 VA.R. 2438	7/1/98
4 VAC 25-40-870	Amended	14:17 VA.R. 2438	7/1/98
4 VAC 25-40-880	Amended	14:17 VA.R. 2438	7/1/98
4 VAC 25-40-890	Amended	14:17 VA.R. 2438	7/1/98
4 VAC 25-40-895	Added	14:17 VA.R. 2438	7/1/98
4 VAC 25-40-900	Amended	14:17 VA.R. 2438	7/1/98
4 VAC 25-40-910	Amended	14:17 VA.R. 2438	7/1/98
4 VAC 25-40-920	Amended	14:17 VA.R. 2439	7/1/98
4 VAC 25-40-930	Amended	14:17 VA.R. 2439	7/1/98
4 VAC 25-40-940	Repealed	14:17 VA.R. 2439	7/1/98
4 VAC 25-40-960	Repealed	14:17 VA.R. 2439	7/1/98
4 VAC 25-40-970	Amended	14:17 VA.R. 2439	7/1/98
4 VAC 25-40-1030	Amended	14:17 VA.R. 2439	7/1/98
4 VAC 25-40-1060	Amended	14:17 VA.R. 2439	7/1/98
4 VAC 25-40-1070	Amended	14:17 VA.R. 2439	7/1/98
4 VAC 25-40-1090	Amended	14:17 VA.R. 2439	7/1/98
4 VAC 25-40-1100	Amended	14:17 VA.R. 2439	7/1/98
4 VAC 25-40-1130	Amended	14:17 VA.R. 2440	7/1/98
4 VAC 25-40-1140	Amended	14:17 VA.R. 2440	7/1/98
4 VAC 25-40-1180	Amended	14:17 VA.R. 2440	7/1/98
4 VAC 25-40-1200	Amended	14:17 VA.R. 2440	7/1/98
4 VAC 25-40-1210	Amended	14:17 VA.R. 2440	7/1/98
4 VAC 25-40-1220	Amended	14:17 VA.R. 2440	7/1/98
4 VAC 25-40-1250	Amended	14:17 VA.R. 2440	7/1/98
4 VAC 25-40-1260	Amended	14:17 VA.R. 2440	7/1/98
4 VAC 25-40-1280	Amended	14:17 VA.R. 2440	7/1/98
4 VAC 25-40-1300	Repealed	14:17 VA.R. 2440	7/1/98
4 VAC 25-40-1310	Repealed	14:17 VA.R. 2440	7/1/98
4 VAC 25-40-1320	Amended	14:17 VA.R. 2440	7/1/98
4 VAC 25-40-1340	Amended	14:17 VA.R. 2440	7/1/98
4 VAC 25-40-1350	Amended	14:17 VA.R. 2440	7/1/98
4 VAC 25-40-1370	Amended	14:17 VA.R. 2440	7/1/98
4 VAC 25-40-1490	Repealed	14:17 VA.R. 2440	7/1/98
4 VAC 25-40-1540	Amended	14:17 VA.R. 2440	7/1/98
4 VAC 25-40-1550	Amended	14:17 VA.R. 2440	7/1/98
4 VAC 25-40-1560	Amended	14:17 VA.R. 2441	7/1/98
4 VAC 25-40-1580	Amended	14:17 VA.R. 2441	7/1/98
4 VAC 25-40-1590	Amended	14:17 VA.R. 2441	7/1/98
4 VAC 25-40-1670	Amended	14:17 VA.R. 2441	7/1/98
4 VAC 25-40-1685	Added	14:17 VA.R. 2441	7/1/98
4 VAC 25-40-1690	Amended	14:17 VA.R. 2441	7/1/98
4 VAC 25-40-1740	Amended	14:17 VA.R. 2441	7/1/98
4 VAC 25-40-1780	Amended	14:17 VA.R. 2441	7/1/98
4 VAC 25-40-1785	Added	14:17 VA.R. 2442	7/1/98
4 VAC 25-40-1810	Amended	14:17 VA.R. 2442	7/1/98
4 VAC 25-40-1880	Amended	14:17 VA.R. 2442	7/1/98
4 VAC 25-40-1940	Repealed	14:17 VA.R. 2442	7/1/98
4 VAC 25-40-2010	Amended	14:17 VA.R. 2442	7/1/98
4 VAC 25-40-2015	Added	14:17 VA.R. 2442	7/1/98

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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
4 VAC 25-40-2040	Amended	14:17 VA.R. 2442	7/1/98
4 VAC 25-40-2080	Amended	14:17 VA.R. 2442	7/1/98
4 VAC 25-40-2100	Amended	14:17 VA.R. 2442	7/1/98
4 VAC 25-40-2140	Amended	14:17 VA.R. 2442	7/1/98
4 VAC 25-40-2170	Amended	14:17 VA.R. 2442	7/1/98
4 VAC 25-40-2180	Amended	14:17 VA.R. 2442	7/1/98
4 VAC 25-40-2210	Amended	14:17 VA.R. 2442	7/1/98
4 VAC 25-40-2220	Amended	14:17 VA.R. 2442	7/1/98
4 VAC 25-40-2250	Amended	14:17 VA.R. 2442	7/1/98
4 VAC 25-40-2260	Repealed	14:17 VA.R. 2443	7/1/98
4 VAC 25-40-2270	Amended	14:17 VA.R. 2443	7/1/98
4 VAC 25-40-2280	Amended	14:17 VA.R. 2443	7/1/98
4 VAC 25-40-2300	Amended	14:17 VA.R. 2443	7/1/98
4 VAC 25-40-2340	Amended	14:17 VA.R. 2443	7/1/98
4 VAC 25-40-2390	Amended	14:17 VA.R. 2443	7/1/98
4 VAC 25-40-2400	Amended	14:17 VA.R. 2443	7/1/98
4 VAC 25-40-2410	Amended	14:17 VA.R. 2443	7/1/98
4 VAC 25-40-2420	Amended	14:17 VA.R. 2443	7/1/98
4 VAC 25-40-2440	Amended	14:17 VA.R. 2443	7/1/98
4 VAC 25-40-2450	Amended	14:17 VA.R. 2443	7/1/98
4 VAC 25-40-2480	Amended	14:17 VA.R. 2443	7/1/98
4 VAC 25-40-2490	Amended	14:17 VA.R. 2443	7/1/98
4 VAC 25-40-2500	Amended	14:17 VA.R. 2443	7/1/98
4 VAC 25-40-2510	Repealed	14:17 VA.R. 2443	7/1/98
4 VAC 25-40-2530	Amended	14:17 VA.R. 2443	7/1/98
4 VAC 25-40-2540	Amended	14:17 VA.R. 2443	7/1/98
4 VAC 25-40-2550	Amended	14:17 VA.R. 2443	7/1/98
4 VAC 25-40-2590	Amended	14:17 VA.R. 2444	7/1/98
4 VAC 25-40-2610	Amended	14:17 VA.R. 2444	7/1/98
4 VAC 25-40-2650	Amended	14:17 VA.R. 2444	7/1/98
4 VAC 25-40-2660	Amended	14:17 VA.R. 2444	7/1/98
4 VAC 25-40-2680	Amended	14:17 VA.R. 2444	7/1/98
4 VAC 25-40-2700	Amended	14:17 VA.R. 2444	7/1/98
4 VAC 25-40-2720	Amended	14:17 VA.R. 2444	7/1/98
4 VAC 25-40-2750	Amended	14:17 VA.R. 2444	7/1/98
4 VAC 25-40-2760	Amended	14:17 VA.R. 2444	7/1/98
4 VAC 25-40-2770	Amended	14:17 VA.R. 2444	7/1/98
4 VAC 25-40-2790	Amended	14:17 VA.R. 2444	7/1/98
4 VAC 25-40-2800	Amended	14:17 VA.R. 2445	7/1/98
4 VAC 25-40-2810	Amended	14:17 VA.R. 2445	7/1/98
4 VAC 25-40-2820	Amended	14:17 VA.R. 2445	7/1/98
4 VAC 25-40-2850	Amended	14:17 VA.R. 2445	7/1/98
4 VAC 25-40-2870	Amended	14:17 VA.R. 2445	7/1/98
4 VAC 25-40-2880	Amended	14:17 VA.R. 2445	7/1/98
4 VAC 25-40-2910	Amended	14:17 VA.R. 2445	7/1/98
4 VAC 25-40-2915	Added	14:17 VA.R. 2445	7/1/98
4 VAC 25-40-2920	Amended	14:17 VA.R. 2445	7/1/98
4 VAC 25-40-2930	Amended	14:17 VA.R. 2445	7/1/98
4 VAC 25-40-2980	Amended	14:17 VA.R. 2445	7/1/98
4 VAC 25-40-3000	Amended	14:17 VA.R. 2445	7/1/98
4 VAC 25-40-3030	Amended	14:17 VA.R. 2446	7/1/98
4 VAC 25-40-3050	Amended	14:17 VA.R. 2446	7/1/98
4 VAC 25-40-3070	Amended	14:17 VA.R. 2446	7/1/98
4 VAC 25-40-3080	Amended	14:17 VA.R. 2446	7/1/98
4 VAC 25-40-3110	Amended	14:17 VA.R. 2446	7/1/98

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4 VAC 25-40-3120	Amended	14:17 VA.R. 2446	7/1/98
4 VAC 25-40-3160	Amended	14:17 VA.R. 2447	7/1/98
4 VAC 25-40-3170	Amended	14:17 VA.R. 2447	7/1/98
4 VAC 25-40-3220	Amended	14:17 VA.R. 2447	7/1/98
4 VAC 25-40-3230	Repealed	14:17 VA.R. 2447	7/1/98
4 VAC 25-40-3240	Amended	14:17 VA.R. 2447	7/1/98
4 VAC 25-40-3280	Amended	14:17 VA.R. 2447	7/1/98
4 VAC 25-40-3290	Amended	14:17 VA.R. 2447	7/1/98
4 VAC 25-40-3300	Amended	14:17 VA.R. 2447	7/1/98
4 VAC 25-40-3310	Amended	14:17 VA.R. 2447	7/1/98
4 VAC 25-40-3320	Amended	14:17 VA.R. 2447	7/1/98
4 VAC 25-40-3325	Added	14:17 VA.R. 2447	7/1/98
4 VAC 25-40-3328	Added	14:17 VA.R. 2447	7/1/98
4 VAC 25-40-3330	Amended	14:17 VA.R. 2447	7/1/98
4 VAC 25-40-3340	Amended	14:17 VA.R. 2447	7/1/98
4 VAC 25-40-3350	Amended	14:17 VA.R. 2447	7/1/98
4 VAC 25-40-3420	Amended	14:17 VA.R. 2447	7/1/98
4 VAC 25-40-3430	Amended	14:17 VA.R. 2448	7/1/98
4 VAC 25-40-3450	Amended	14:17 VA.R. 2448	7/1/98
4 VAC 25-40-3460	Amended	14:17 VA.R. 2448	7/1/98
4 VAC 25-40-3475	Added	14:17 VA.R. 2448	7/1/98
4 VAC 25-40-3478	Added	14:17 VA.R. 2448	7/1/98
4 VAC 25-40-3590	Amended	14:17 VA.R. 2448	7/1/98
4 VAC 25-40-3595	Added	14:17 VA.R. 2448	7/1/98
4 VAC 25-40-3620	Amended	14:17 VA.R. 2448	7/1/98
4 VAC 25-40-3660	Amended	14:17 VA.R. 2448	7/1/98
4 VAC 25-40-3680	Amended	14:17 VA.R. 2448	7/1/98
4 VAC 25-40-3690	Amended	14:17 VA.R. 2448	7/1/98
4 VAC 25-40-3700	Amended	14:17 VA.R. 2448	7/1/98
4 VAC 25-40-3710	Amended	14:17 VA.R. 2448	7/1/98
4 VAC 25-40-3720	Amended	14:17 VA.R. 2448	7/1/98
4 VAC 25-40-3830	Amended	14:17 VA.R. 2448	7/1/98
4 VAC 25-40-3840	Amended	14:17 VA.R. 2449	7/1/98
4 VAC 25-40-3855	Added	14:17 VA.R. 2449	7/1/98
4 VAC 25-40-3890	Amended	14:17 VA.R. 2449	7/1/98
4 VAC 25-40-3930	Amended	14:17 VA.R. 2449	7/1/98
4 VAC 25-40-3955	Added	14:17 VA.R. 2449	7/1/98
4 VAC 25-40-3958	Added	14:17 VA.R. 2450	7/1/98
4 VAC 25-40-3980	Amended	14:17 VA.R. 2450	7/1/98
4 VAC 25-40-3990	Amended	14:17 VA.R. 2450	7/1/98
4 VAC 25-40-4060	Amended	14:17 VA.R. 2450	7/1/98
4 VAC 25-40-4090	Amended	14:17 VA.R. 2450	7/1/98
4 VAC 25-40-4100	Amended	14:17 VA.R. 2450	7/1/98
4 VAC 25-40-4110	Amended	14:17 VA.R. 2451	7/1/98
4 VAC 25-40-4140	Amended	14:17 VA.R. 2451	7/1/98
4 VAC 25-40-4160	Amended	14:17 VA.R. 2451	7/1/98
4 VAC 25-40-4220	Amended	14:17 VA.R. 2451	7/1/98
4 VAC 25-40-4230	Amended	14:17 VA.R. 2451	7/1/98
4 VAC 25-40-4260	Amended	14:17 VA.R. 2451	7/1/98
4 VAC 25-40-4280	Amended	14:17 VA.R. 2451	7/1/98
4 VAC 25-40-4290	Amended	14:17 VA.R. 2452	7/1/98
4 VAC 25-40-4320	Amended	14:17 VA.R. 2452	7/1/98
4 VAC 25-40-4330	Amended	14:17 VA.R. 2452	7/1/98
4 VAC 25-40-4350	Amended	14:17 VA.R. 2452	7/1/98
4 VAC 25-40-4430	Amended	14:17 VA.R. 2452	7/1/98

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4 VAC 25-40-4440	Amended	14:17 VA.R. 2452	7/1/98
4 VAC 25-40-4460	Amended	14:17 VA.R. 2452	7/1/98
4 VAC 25-40-4540	Amended	14:17 VA.R. 2452	7/1/98
4 VAC 25-40-4590	Amended	14:17 VA.R. 2452	7/1/98
4 VAC 25-40-4650	Amended	14:17 VA.R. 2452	7/1/98
4 VAC 25-40-4750	Amended	14:17 VA.R. 2452	7/1/98
4 VAC 25-40-4770	Amended	14:17 VA.R. 2452	7/1/98
4 VAC 25-40-4910	Amended	14:17 VA.R. 2452	7/1/98
4 VAC 25-40-4920	Amended	14:17 VA.R. 2452	7/1/98
4 VAC 25-40-4970	Amended	14:17 VA.R. 2452	7/1/98
4 VAC 25-40-4980	Amended	14:17 VA.R. 2452	7/1/98
4 VAC 25-40-5040	Repealed	14:17 VA.R. 2452	7/1/98
4 VAC 25-40-5050	Repealed	14:17 VA.R. 2453	7/1/98
4 VAC 25-40-5060	Amended	14:17 VA.R. 2453	7/1/98
4 VAC 25-40-5070	Amended	14:17 VA.R. 2453	7/1/98
4 VAC 25-40-5120	Amended	14:17 VA.R. 2453	7/1/98
4 VAC 25-40-5170	Amended	14:17 VA.R. 2453	7/1/98
4 VAC 25-40-5180	Amended	14:17 VA.R. 2453	7/1/98
4 VAC 25-40-5200	Amended	14:17 VA.R. 2453	7/1/98
4 VAC 25-40-5210	Amended	14:17 VA.R. 2453	7/1/98
4 VAC 25-40-5230	Amended	14:17 VA.R. 2454	7/1/98
4 VAC 25-40-5290	Amended	14:17 VA.R. 2454	7/1/98
4 VAC 25-40-5310	Amended	14:17 VA.R. 2454	7/1/98
4 VAC 25-40-5320	Amended	14:17 VA.R. 2454	7/1/98
4 VAC 25-40-5330	Amended	14:17 VA.R. 2454	7/1/98
4 VAC 25-40-5340	Amended	14:17 VA.R. 2454	7/1/98
4 VAC 25-40-5370	Amended	14:17 VA.R. 2454	7/1/98
4 VAC 25-40-5400	Amended	14:17 VA.R. 2454	7/1/98
4 VAC 25-40-5450	Amended	14:17 VA.R. 2454	7/1/98
4 VAC 25-40-5470	Amended	14:17 VA.R. 2454	7/1/98
4 VAC 25-40-5550	Amended	14:17 VA.R. 2454	7/1/98
4 VAC 25-40-5580	Amended	14:17 VA.R. 2454	7/1/98
4 VAC 25-40-5590	Amended	14:17 VA.R. 2455	7/1/98
4 VAC 25-40-5630	Amended	14:17 VA.R. 2455	7/1/98
4 VAC 25-40-5660	Amended	14:17 VA.R. 2455	7/1/98
4 VAC 25-40-5670	Amended	14:17 VA.R. 2455	7/1/98
4 VAC 25-40-5680	Repealed	14:17 VA.R. 2455	7/1/98
4 VAC 25-40-5690	Repealed	14:17 VA.R. 2455	7/1/98
4 VAC 25-40-5710	Amended	14:17 VA.R. 2455	7/1/98
4 VAC 25-40-5720	Repealed	14:17 VA.R. 2455	7/1/98
4 VAC 25-40-5730	Repealed	14:17 VA.R. 2455	7/1/98
4 VAC 25-40-5740	Repealed	14:17 VA.R. 2456	7/1/98
4 VAC 25-40-5750	Added	14:17 VA.R. 2456	7/1/98
4 VAC 25-40-5760	Added	14:17 VA.R. 2456	7/1/98
4 VAC 25-40-5770	Added	14:17 VA.R. 2457	7/1/98
4 VAC 25-40-5780	Added	14:17 VA.R. 2457	7/1/98
Title 6. Criminal Justice and Corrections			
6 VAC 15-60-10 through 6 VAC 15-60-100	Repealed	14:17 VA.R. 2457	9/1/98
6 VAC 15-61-10 through 6 VAC 15-61-300	Added	14:17 VA.R. 2457	9/1/98
6 VAC 20-170-10	Amended	14:24 VA.R. 3908	9/16/98
6 VAC 20-170-80	Amended	14:24 VA.R. 3910	9/16/98
6 VAC 20-170-90	Amended	14:24 VA.R. 3911	9/16/98
6 VAC 20-170-270	Amended	14:24 VA.R. 3911	9/16/98

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6 VAC 20-170-350	Amended	14:24 VA.R. 3912	9/16/98
6 VAC 20-170-470	Amended	14:24 VA.R. 3913	9/16/98
6 VAC 20-170-475	Amended	14:24 VA.R. 3913	9/16/98
6 VAC 20-170-520	Amended	14:24 VA.R. 3913	9/16/98
6 VAC 20-170-530	Amended	14:24 VA.R. 3913	9/16/98
6 VAC 20-170-540	Amended	14:24 VA.R. 3914	9/16/98
6 VAC 20-170-550	Amended	14:24 VA.R. 3915	9/16/98
6 VAC 20-170-615	Amended	14:24 VA.R. 3916	9/16/98
6 VAC 20-170-617	Amended	14:24 VA.R. 3919	9/16/98
6 VAC 20-170-626	Added	14:24 VA.R. 3919	9/16/98
6 VAC 20-170-627	Added	14:24 VA.R. 3919	9/16/98
6 VAC 20-170-1000	Amended	14:24 VA.R. 3919	9/16/98
6 VAC 20-170-1110	Added	14:24 VA.R. 3921	9/16/98
Title 8. Education			
8 VAC 20-20-750	Repealed	14:20 VA.R. 2754	7/22/98
8 VAC 20-20-770	Repealed	14:20 VA.R. 2754	7/22/98
8 VAC 20-20-780	Repealed	14:20 VA.R. 2754	7/22/98
8 VAC 20-20-790	Repealed	14:20 VA.R. 2754	7/22/98
8 VAC 20-21-425	Added	14:20 VA.R. 2754	7/22/98
8 VAC 20-21-430	Added	14:20 VA.R. 2755	7/22/98
8 VAC 20-21-435	Added	14:20 VA.R. 2756	7/22/98
8 VAC 20-21-440	Added	14:20 VA.R. 2757	7/22/98
8 VAC 20-21-445	Added	14:20 VA.R. 2758	7/22/98
Title 9. Environment			
9 VAC 5-20-203	Amended	14:11 VA.R. 1804	4/1/98
9 VAC 5-20-204	Amended	14:11 VA.R. 1804	4/1/98
9 VAC 5-20-205	Amended	14:11 VA.R. 1805	4/1/98
9 VAC 5-20-220	Added	14:11 VA.R. 1812	4/1/98
9 VAC 5-20-230	Added	14:11 VA.R. 1812	4/1/98
9 VAC 5-50-400	Amended	14:11 VA.R. 1807	4/1/98
9 VAC 5-60-60	Amended	14:11 VA.R. 1807	4/1/98
9 VAC 5-60-90	Amended	14:11 VA.R. 1807	4/1/98
9 VAC 5-60-100	Amended	14:11 VA.R. 1808	4/1/98
9 VAC 5-80-40	Repealed	14:11 VA.R. 1813	4/1/98
9 VAC 5-80-800	Added	14:11 VA.R. 1820	4/1/98
9 VAC 5-80-810	Added	14:11 VA.R. 1820	4/1/98
9 VAC 5-80-820	Added	14:11 VA.R. 1822	4/1/98
9 VAC 5-80-830	Added	14:11 VA.R. 1823	4/1/98
9 VAC 5-80-840	Added	14:11 VA.R. 1823	4/1/98
9 VAC 5-80-850	Added	14:11 VA.R. 1823	4/1/98
9 VAC 5-80-860	Added	14:11 VA.R. 1825	4/1/98
9 VAC 5-80-870	Added	14:11 VA.R. 1825	4/1/98
9 VAC 5-80-880	Added	14:11 VA.R. 1825	4/1/98
9 VAC 5-80-890	Added	14:11 VA.R. 1826	4/1/98
9 VAC 5-80-900	Added	14:11 VA.R. 1826	4/1/98
9 VAC 5-80-910	Added	14:11 VA.R. 1826	4/1/98
9 VAC 5-80-920	Added	14:11 VA.R. 1826	4/1/98
9 VAC 5-80-930	Added	14:11 VA.R. 1826	4/1/98
9 VAC 5-80-940	Added	14:11 VA.R. 1826	4/1/98
9 VAC 5-80-950	Added	14:11 VA.R. 1826	4/1/98
9 VAC 5-80-960	Added	14:11 VA.R. 1826	4/1/98
9 VAC 5-80-970	Added	14:11 VA.R. 1827	4/1/98
9 VAC 5-80-980	Added	14:11 VA.R. 1827	4/1/98
9 VAC 5-80-990	Added	14:11 VA.R. 1828	4/1/98
9 VAC 5-80-1000	Added	14:11 VA.R. 1828	4/1/98

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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
9 VAC 5-80-1010	Added	14:11 VA.R. 1828	4/1/98
9 VAC 5-80-1020	Added	14:11 VA.R. 1829	4/1/98
9 VAC 5-80-1030	Added	14:11 VA.R. 1830	4/1/98
9 VAC 5-80-1040	Added	14:11 VA.R. 1831	4/1/98
9 VAC 5-190-80	Erratum	14:12 VA.R. 1937	--
9 VAC 25-31-800	Erratum	14:12 VA.R. 1937	--
9 VAC 25-31-800	Erratum	14:17 VA.R. 2477	--
9 VAC 25-31-840	Erratum	14:12 VA.R. 1937	--
9 VAC 25-31-900	Erratum	14:17 VA.R. 2477	--
9 VAC 25-31-920	Amended	14:16 VA.R. 2360	5/27/98
9 VAC 25-90-10 through 9 VAC 25-90-70	Repealed	14:18 VA.R. 2517	6/24/98
9 VAC 25-91-10 through 9 VAC 25-91-220	Added	14:18 VA.R. 2518	6/24/98
9 VAC 25-91-20	Erratum	14:23 VA.R. 3682	--
9 VAC 25-91-120	Erratum	14:23 VA.R. 3682	--
9 VAC 25-91-130	Erratum	14:23 VA.R. 3682	--
9 VAC 25-91-170	Erratum	14:23 VA.R. 3682	--
9 VAC 25-91-180	Erratum	14:23 VA.R. 3682	--
9 VAC 25-91-220	Erratum	14:23 VA.R. 3682	--
9 VAC 25-100-10 through 9 VAC 25-100-70	Repealed	14:18 VA.R. 2547	6/24/98
9 VAC 25-101-10 through 9 VAC 25-101-70	Added	14:18 VA.R. 2547	6/24/98
9 VAC 25-101-40	Erratum	14:23 VA.R. 3682	--
9 VAC 25-101-50	Erratum	14:23 VA.R. 3682	--
9 VAC 25-130-10 through 9 VAC 25-130-100	Repealed	14:18 VA.R. 2517	6/24/98
9 VAC 25-140-10 through 9 VAC 25-140-110	Repealed	14:18 VA.R. 2518	6/24/98
9 VAC 25-193-10 through 9 VAC 25-193-80	Added	14:24 VA.R. 3922	10/1/98
9 VAC 25-196-50	Erratum	14:12 VA.R. 1937	--
9 VAC 25-196-70	Erratum	14:12 VA.R. 1937	--
9 VAC 25-260-20	Erratum	14:12 VA.R. 1937	--
9 VAC 25-260-110	Erratum	14:12 VA.R. 1937	--
9 VAC 25-260-140	Erratum	14:12 VA.R. 1937	--
9 VAC 25-260-350	Erratum	14:12 VA.R. 1937	--
9 VAC 25-260-370	Erratum	14:12 VA.R. 1937	--
9 VAC 25-260-390	Erratum	14:12 VA.R. 1937	--
9 VAC 25-260-400	Erratum	14:12 VA.R. 1937	--
9 VAC 25-260-450	Erratum	14:12 VA.R. 1937	--
9 VAC 25-260-540	Erratum	14:12 VA.R. 1937	--
9 VAC 25-590-10 through 9 VAC 25-590-230	Amended	14:23 VA.R. 3607	9/2/98
9 VAC 25-590-240	Added	14:23 VA.R. 3621	9/2/98
9 VAC 25-590-250	Added	14:23 VA.R. 3621	9/2/98
9 VAC 25-590-260	Added	14:23 VA.R. 3621	9/2/98
9 VAC 25-590, Appendix I	Amended	14:23 VA.R. 3621	9/2/98
9 VAC 25-590, Appendix II	Amended	14:23 VA.R. 3623	9/2/98
9 VAC 25-590, Appendices V through X	Amended	14:23 VA.R. 3625	9/2/98
9 VAC 25-590, Appendix XI	Added	14:23 VA.R. 3631	9/2/98
Title 10. Finance and Financial Institutions			
10 VAC 5-60-40	Amended	14:14 VA.R. 2139	3/10/98

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10 VAC 5-60-50	Amended	14:14 VA.R. 2139	3/10/98
10 VAC 5-70-20	Amended	14:14 VA.R. 2140	3/10/98
10 VAC 5-70-30	Amended	14:14 VA.R. 2140	3/10/98
10 VAC 5-70-50	Amended	14:14 VA.R. 2140	3/10/98
Title 11. Gaming			
11 VAC 10-70-20	Amended	14:11 VA.R. 1831	3/19/98
11 VAC 10-70-30	Amended	14:11 VA.R. 1831	3/19/98
11 VAC 10-70-40	Amended	14:11 VA.R. 1831	3/19/98
11 VAC 10-70-50	Amended	14:11 VA.R. 1831	3/19/98
11 VAC 10-70-60	Amended	14:11 VA.R. 1832	3/19/98
11 VAC 10-70-70	Amended	14:11 VA.R. 1832	3/19/98
11 VAC 10-70-80	Amended	14:11 VA.R. 1833	3/19/98
11 VAC 10-70-110	Amended	14:11 VA.R. 1833	3/19/98
11 VAC 10-70-170	Amended	14:11 VA.R. 1833	3/19/98
11 VAC 10-70-180	Amended	14:11 VA.R. 1833	3/19/98
11 VAC 10-90-10	Amended	14:11 VA.R. 1835	3/19/98
11 VAC 10-90-20	Amended	14:11 VA.R. 1835	3/19/98
11 VAC 10-90-30	Amended	14:11 VA.R. 1835	3/19/98
11 VAC 10-90-40	Amended	14:11 VA.R. 1835	3/19/98
11 VAC 10-90-50	Amended	14:11 VA.R. 1835	3/19/98
11 VAC 10-90-60	Amended	14:11 VA.R. 1836	3/19/98
11 VAC 10-180-10	Amended	14:22 VA.R. 3207	8/20/98
11 VAC 10-180-20	Amended	14:22 VA.R. 3207	8/20/98
11 VAC 10-180-30	Amended	14:22 VA.R. 3208	8/20/98
11 VAC 10-180-50	Amended	14:22 VA.R. 3209	8/20/98
11 VAC 10-180-60	Amended	14:22 VA.R. 3211	8/20/98
11 VAC 10-180-70	Amended	14:22 VA.R. 3212	8/20/98
11 VAC 10-180-80	Amended	14:22 VA.R. 3213	8/20/98
11 VAC 10-180-90	Amended	14:22 VA.R. 3213	8/20/98
Title 12. Health			
12 VAC 5-210-10	Amended	14:15 VA.R. 2237	6/1/98
12 VAC 5-210-20	Amended	14:15 VA.R. 2243	6/1/98
12 VAC 5-220-10	Amended	14:12 VA.R. 1917	4/2/98
12 VAC 5-220-105	Added	14:12 VA.R. 1920	4/2/98
12 VAC 5-220-150	Amended	14:12 VA.R. 1920	4/2/98
12 VAC 5-220-180	Amended	14:12 VA.R. 1920	4/2/98
12 VAC 5-220-200	Amended	14:12 VA.R. 1921	4/2/98
12 VAC 5-220-230	Amended	14:12 VA.R. 1923	4/2/98
12 VAC 5-220-280	Amended	14:12 VA.R. 1924	4/2/98
12 VAC 5-220-290	Amended	14:12 VA.R. 1925	4/2/98
12 VAC 5-220-385	Amended	14:12 VA.R. 1925	4/2/98
12 VAC 5-220-500	Amended	14:12 VA.R. 1926	4/2/98
12 VAC 30-20-170	Amended	14:21 VA.R. 2889	8/5/98
12 VAC 30-50-30	Amended	14:18 VA.R. 2568	7/1/98
12 VAC 30-50-70	Amended	14:18 VA.R. 2568	7/1/98
12 VAC 30-50-100	Amended	14:18 VA.R. 2571	7/1/98
12 VAC 30-50-100 emer	Amended	14:22 VA.R. 3270	7/1/98 - 6/30/99
12 VAC 30-50-105	Amended	14:18 VA.R. 2573	7/1/98
12 VAC 30-50-105 emer	Amended	14:22 VA.R. 3272	7/1/98 - 6/30/99
12 VAC 30-50-140	Amended	14:12 VA.R. 1926	4/1/98
12 VAC 30-50-140	Amended	14:18 VA.R. 2574	7/1/98
12 VAC 30-50-150	Amended	14:12 VA.R. 1927	4/1/98
12 VAC 30-50-160	Amended	14:18 VA.R. 2564	7/1/98
12 VAC 30-50-160	Amended	14:21 VA.R. 2890	8/5/98
12 VAC 30-50-200	Amended	14:18 VA.R. 2579	7/1/98

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12 VAC 30-50-220	Amended	14:18 VA.R. 2569	7/1/98
12 VAC 30-50-229.1	Added	14:18 VA.R. 2581	7/1/98
12 VAC 30-50-540	Amended	14:18 VA.R. 2575	7/1/98
12 VAC 30-50-550	Added	14:18 VA.R. 2576	7/1/98
12 VAC 30-50-560	Added	14:18 VA.R. 2577	7/1/98
12 VAC 30-50-570	Added	14:18 VA.R. 2578	7/1/98
12 VAC 30-60-20 emer	Amended	14:22 VA.R. 3273	7/1/98 - 6/30/99
12 VAC 30-60-25 emer	Amended	14:22 VA.R. 3274	7/1/98 - 6/30/99
12 VAC 30-60-40	Amended	14:12 VA.R. 1928	4/1/98
12 VAC 30-60-40	Amended	14:21 VA.R. 2892	8/5/98
12 VAC 30-60-90	Repealed	14:17 VA.R. 2465	6/10/98
12 VAC 30-60-120	Amended	14:12 VA.R. 1929	4/1/98
12 VAC 30-60-320	Amended	14:21 VA.R. 2894	8/5/98
12 VAC 30-60-340	Amended	14:21 VA.R. 2897	8/5/98
12 VAC 30-70-200 through 12 VAC 30-70-500 emer	Amended	14:22 VA.R. 3275-3297	7/1/98 - 6/30/99
12 VAC 30-70-440	Repealed	14:15 VA.R. 2248	6/1/98
12 VAC 30-70-441	Added	14:15 VA.R. 2248	6/1/98
12 VAC 30-80-30	Amended	14:12 VA.R. 1933	4/1/98
12 VAC 30-80-30	Amended	14:18 VA.R. 2582	7/1/98
12 VAC 30-80-170 emer	Amended	14:22 VA.R. 3299	7/1/98 - 6/30/99
12 VAC 30-90-52	Amended	14:22 VA.R. 3220	8/19/98
12 VAC 30-90-264	Amended	14:21 VA.R. 2899	8/5/98
12 VAC 30-90-266	Added	14:22 VA.R. 3220	8/19/98
12 VAC 30-90-290	Amended	14:21 VA.R. 2902	8/5/98
12 VAC 30-90-330	Added	14:22 VA.R. 3221	8/19/98
12 VAC 30-100-120	Amended	14:18 VA.R. 2583	7/1/98
12 VAC 30-120-360	Amended	14:18 VA.R. 2584	7/1/98
12 VAC 30-120-360 emer	Amended	14:22 VA.R. 3300	7/1/98 - 6/30/99
12 VAC 30-120-370	Amended	14:18 VA.R. 2585	7/1/98
12 VAC 30-120-370 emer	Amended	14:22 VA.R. 3301	7/1/98 - 6/30/99
12 VAC 30-120-385	Added	14:18 VA.R. 2587	7/1/98
12 VAC 30-120-410	Amended	14:18 VA.R. 2587	7/1/98
12 VAC 30-120-420	Amended	14:18 VA.R. 2587	7/1/98
12 VAC 30-120-490 through 12 VAC 30-120-550	Added	14:18 VA.R. 2590	7/1/98
Title 13. Housing			
13 VAC 5-51-135 emer	Added	14:18 VA.R. 2605	4/27/98 - 4/26/99
13 VAC 5-61-440	Amended	14:18 VA.R. 2600	7/1/98
13 VAC 5-111-10	Amended	14:24 VA.R. 3943	9/17/98
13 VAC 5-111-60	Amended	14:24 VA.R. 3947	9/17/98
13 VAC 5-111-85	Amended	14:24 VA.R. 3947	9/17/98
13 VAC 5-111-150	Amended	14:24 VA.R. 3947	9/17/98
13 VAC 5-111-170	Amended	14:24 VA.R. 3948	9/17/98
13 VAC 5-111-335	Added	14:24 VA.R. 3948	9/17/98
13 VAC 10-10-20	Amended	14:17 VA.R. 2466	5/1/98
13 VAC 10-20-20	Amended	14:17 VA.R. 2467	5/1/98
13 VAC 10-40-100	Amended	14:11 VA.R. 1838	1/28/98
13 VAC 10-40-110	Amended	14:11 VA.R. 1839	1/28/98
13 VAC 10-40-120	Amended	14:11 VA.R. 1839	1/28/98
13 VAC 10-40-130	Amended	14:11 VA.R. 1839	1/28/98
13 VAC 10-40-140	Amended	14:11 VA.R. 1841	1/28/98
13 VAC 10-40-190	Amended	14:11 VA.R. 1842	1/28/98
13 VAC 10-40-210	Amended	14:11 VA.R. 1843	1/28/98
13 VAC 10-40-230	Added	14:11 VA.R. 1843	1/28/98

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13 VAC 10-130-30	Amended	14:17 VA.R. 2468	5/1/98
13 VAC 10-140-20	Amended	14:17 VA.R. 2469	5/1/98
13 VAC 10-180-50	Amended	14:14 VA.R. 2141	3/4/98
13 VAC 10-180-60	Amended	14:14 VA.R. 2142	3/4/98
Title 16. Labor and Employment			
16 VAC 10-20-10	Amended	14:20 VA.R. 2759	7/1/98
16 VAC 10-20-20	Amended	14:20 VA.R. 2760	7/1/98
16 VAC 10-20-30	Amended	14:20 VA.R. 2760	7/1/98
16 VAC 10-20-40	Amended	14:20 VA.R. 2760	7/1/98
16 VAC 10-20-50	Repealed	14:20 VA.R. 2760	7/1/98
16 VAC 10-20-60	Repealed	14:20 VA.R. 2760	7/1/98
16 VAC 10-20-70	Repealed	14:20 VA.R. 2760	7/1/98
16 VAC 10-20-80	Amended	14:20 VA.R. 2760	7/1/98
16 VAC 10-20-90	Repealed	14:20 VA.R. 2761	7/1/98
16 VAC 10-20-100	Repealed	14:20 VA.R. 2761	7/1/98
16 VAC 10-20-110	Amended	14:20 VA.R. 2761	7/1/98
16 VAC 10-20-140	Amended	14:20 VA.R. 2761	7/1/98
16 VAC 10-20-150	Amended	14:20 VA.R. 2761	7/1/98
16 VAC 10-20-160	Amended	14:20 VA.R. 2761	7/1/98
16 VAC 10-20-170	Amended	14:20 VA.R. 2762	7/1/98
16 VAC 10-20-180	Repealed	14:20 VA.R. 2762	7/1/98
16 VAC 10-20-190	Amended	14:20 VA.R. 2762	7/1/98
16 VAC 10-20-200	Amended	14:20 VA.R. 2762	7/1/98
16 VAC 10-20-210	Repealed	14:20 VA.R. 2763	7/1/98
16 VAC 10-20-220	Repealed	14:20 VA.R. 2763	7/1/98
16 VAC 10-20-230	Repealed	14:20 VA.R. 2764	7/1/98
16 VAC 10-20-240	Amended	14:20 VA.R. 2764	7/1/98
16 VAC 10-20-250	Repealed	14:20 VA.R. 2765	7/1/98
16 VAC 10-20-260	Repealed	14:20 VA.R. 2765	7/1/98
16 VAC 10-20-270	Repealed	14:20 VA.R. 2766	7/1/98
16 VAC 10-20-275	Added	14:20 VA.R. 2766	7/1/98
16 VAC 10-20-280	Amended	14:20 VA.R. 2766	7/1/98
16 VAC 10-20-290	Repealed	14:20 VA.R. 2766	7/1/98
16 VAC 10-20-300	Amended	14:20 VA.R. 2766	7/1/98
16 VAC 10-20-310 through 16 VAC 10-20-460	Repealed	14:20 VA.R. 2767-2770	7/1/98
16 VAC 25-90-1910.94	Amended	14:15 VA.R. 2250	6/1/98
16 VAC 25-90-1910.111	Amended	14:15 VA.R. 2250	6/1/98
16 VAC 25-90-1910.134	Amended	14:15 VA.R. 2250	6/1/98
16 VAC 25-90-1910.134	Amended	14:22 VA.R. 3222	9/1/98
16 VAC 25-90-1910.139	Added	14:15 VA.R. 2250	6/1/98
16 VAC 25-90-1910.156	Amended	14:15 VA.R. 2250	6/1/98
16 VAC 25-90-1910.252	Amended	14:15 VA.R. 2250	6/1/98
16 VAC 25-90-1910.261	Erratum	14:17 VA.R. 2477	6/1/98
16 VAC 25-90-1910.1001	Amended	14:15 VA.R. 2250	6/1/98
16 VAC 25-90-1910.1003	Amended	14:15 VA.R. 2250	6/1/98
16 VAC 25-90-1910.1003	Amended	14:22 VA.R. 3222	9/1/98
16 VAC 25-90-1910.1017	Amended	14:15 VA.R. 2250	6/1/98
16 VAC 25-90-1910.1018	Amended	14:15 VA.R. 2250	6/1/98
16 VAC 25-90-1910.1025	Amended	14:15 VA.R. 2250	6/1/98
16 VAC 25-90-1910.1025	Amended	14:22 VA.R. 3222	9/1/98
16 VAC 25-90-1910.1027	Amended	14:15 VA.R. 2250	6/1/98
16 VAC 25-90-1910.1028	Amended	14:15 VA.R. 2250	6/1/98
16 VAC 25-90-1910.1028	Amended	14:22 VA.R. 3222	9/1/98
16 VAC 25-90-1910.1029	Amended	14:15 VA.R. 2250	6/1/98

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16 VAC 25-90-1910.1043	Amended	14:15 VA.R. 2250	6/1/98
16 VAC 25-90-1910.1044	Amended	14:15 VA.R. 2250	6/1/98
16 VAC 25-90-1910.1045	Amended	14:15 VA.R. 2250	6/1/98
16 VAC 25-90-1910.1045	Amended	14:22 VA.R. 3222	9/1/98
16 VAC 25-90-1910.1047	Amended	14:15 VA.R. 2250	6/1/98
16 VAC 25-90-1910.1048	Amended	14:15 VA.R. 2250	6/1/98
16 VAC 25-90-1910.1048	Amended	14:22 VA.R. 3222	9/1/98
16 VAC 25-90-1910.1050	Amended	14:15 VA.R. 2250	6/1/98
16 VAC 25-90-1910.1050	Amended	14:22 VA.R. 3222	9/1/98
16 VAC 25-90-1910.1051	Amended	14:15 VA.R. 2250	6/1/98
16 VAC 25-90-1910.1052	Amended	14:14 VA.R. 2151	5/1/98
16 VAC 25-90-1910.1052	Amended	14:15 VA.R. 2250	6/1/98
16 VAC 25-90-1910.1052	Amended	14:22 VA.R. 3222	9/1/98
16 VAC 25-175-1926.1101	Amended	14:22 VA.R. 3222	9/1/98
Title 18. Professional and Occupational Licensing			
18 VAC 25-21-70	Amended	14:11 VA.R. 1845	4/1/98
18 VAC 30-20-10	Amended	14:14 VA.R. 2155	4/29/98
18 VAC 30-20-20	Repealed	14:14 VA.R. 2156	4/29/98
18 VAC 30-20-30	Repealed	14:14 VA.R. 2156	4/29/98
18 VAC 30-20-40	Repealed	14:14 VA.R. 2156	4/29/98
18 VAC 30-20-45	Added	14:14 VA.R. 2156	4/29/98
18 VAC 30-20-50	Amended	14:14 VA.R. 2156	4/29/98
18 VAC 30-20-60	Repealed	14:14 VA.R. 2156	4/29/98
18 VAC 30-20-70	Amended	14:14 VA.R. 2156	4/29/98
18 VAC 30-20-80	Amended	14:14 VA.R. 2157	4/29/98
18 VAC 30-20-90	Repealed	14:14 VA.R. 2157	4/29/98
18 VAC 30-20-100	Repealed	14:14 VA.R. 2157	4/29/98
18 VAC 30-20-110	Repealed	14:14 VA.R. 2157	4/29/98
18 VAC 30-20-120	Repealed	14:14 VA.R. 2157	4/29/98
18 VAC 30-20-130	Repealed	14:14 VA.R. 2157	4/29/98
18 VAC 30-20-140	Repealed	14:14 VA.R. 2157	4/29/98
18 VAC 30-20-150	Amended	14:14 VA.R. 2157	4/29/98
18 VAC 30-20-160	Amended	14:14 VA.R. 2157	4/29/98
18 VAC 30-20-170	Amended	14:14 VA.R. 2157	4/29/98
18 VAC 30-20-180	Amended	14:14 VA.R. 2159	4/29/98
18 VAC 30-20-190	Repealed	14:14 VA.R. 2159	4/29/98
18 VAC 30-20-200	Repealed	14:14 VA.R. 2159	4/29/98
18 VAC 30-20-210	Repealed	14:14 VA.R. 2159	4/29/98
18 VAC 30-20-220	Repealed	14:14 VA.R. 2159	4/29/98
18 VAC 30-20-240	Amended	14:14 VA.R. 2159	4/29/98
18 VAC 30-20-250	Repealed	14:14 VA.R. 2160	4/29/98
18 VAC 30-20-260	Repealed	14:14 VA.R. 2160	4/29/98
18 VAC 30-20-270	Repealed	14:14 VA.R. 2160	4/29/98
18 VAC 30-20-280	Amended	14:14 VA.R. 2160	4/29/98
18 VAC 60-20-105	Added	14:18 VA.R. 2602	6/24/98
18 VAC 76-10-10	Amended	14:11 VA.R. 1845	1/22/98
18 VAC 85-20-10	Amended	14:21 VA.R. 2904	8/5/98
18 VAC 85-20-20	Amended	14:21 VA.R. 2904	8/5/98
18 VAC 85-20-21	Added	14:21 VA.R. 2904	8/5/98
18 VAC 85-20-22	Added	14:21 VA.R. 2904	8/5/98
18 VAC 85-20-30	Amended	14:21 VA.R. 2905	8/5/98
18 VAC 85-20-60	Repealed	14:21 VA.R. 2905	8/5/98
18 VAC 85-20-70	Repealed	14:21 VA.R. 2905	8/5/98
18 VAC 85-20-105	Added	14:21 VA.R. 2905	8/5/98
18 VAC 85-20-110	Repealed	14:21 VA.R. 2905	8/5/98

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18 VAC 85-20-120	Amended	14:21 VA.R. 2905	8/5/98
18 VAC 85-20-121	Added	14:21 VA.R. 2906	8/5/98
18 VAC 85-20-122	Added	14:21 VA.R. 2906	8/5/98
18 VAC 85-20-131	Added	14:21 VA.R. 2908	8/5/98
18 VAC 85-20-140	Amended	14:21 VA.R. 2908	8/5/98
18 VAC 85-20-150	Amended	14:21 VA.R. 2909	8/5/98
18 VAC 85-20-160	Repealed	14:21 VA.R. 2909	8/5/98
18 VAC 85-20-170	Repealed	14:21 VA.R. 2910	8/5/98
18 VAC 85-20-180	Repealed	14:21 VA.R. 2910	8/5/98
18 VAC 85-20-190	Repealed	14:21 VA.R. 2911	8/5/98
18 VAC 85-20-200	Repealed	14:21 VA.R. 2911	8/5/98
18 VAC 85-20-210	Amended	14:21 VA.R. 2912	8/5/98
18 VAC 85-20-230	Amended	14:21 VA.R. 2912	8/5/98
18 VAC 85-20-240	Amended	14:21 VA.R. 2912	8/5/98
18 VAC 85-20-250	Repealed	14:21 VA.R. 2912	8/5/98
18 VAC 85-20-260	Repealed	14:21 VA.R. 2913	8/5/98
18 VAC 85-20-270	Repealed	14:21 VA.R. 2913	8/5/98
18 VAC 85-40-10	Amended	14:21 VA.R. 2915	8/5/98
18 VAC 85-40-20	Amended	14:21 VA.R. 2915	8/5/98
18 VAC 85-40-40	Amended	14:21 VA.R. 2915	8/5/98
18 VAC 85-40-50	Amended	14:21 VA.R. 2916	8/5/98
18 VAC 85-40-60	Amended	14:21 VA.R. 2916	8/5/98
18 VAC 85-40-70	Amended	14:21 VA.R. 2916	8/5/98
18 VAC 85-40-80	Amended	14:21 VA.R. 2916	8/5/98
18 VAC 85-50-10	Amended	14:21 VA.R. 2923	8/5/98
18 VAC 85-50-50	Amended	14:21 VA.R. 2924	8/5/98
18 VAC 85-50-55	Amended	14:21 VA.R. 2924	8/5/98
18 VAC 85-50-57	Amended	14:21 VA.R. 2924	8/5/98
18 VAC 85-50-101	Added	14:21 VA.R. 2924	8/5/98
18 VAC 85-50-115	Amended	14:21 VA.R. 2925	8/5/98
18 VAC 85-50-116	Added	14:21 VA.R. 2925	8/5/98
18 VAC 85-50-170	Amended	14:21 VA.R. 2925	8/5/98
18 VAC 85-80-10	Amended	14:21 VA.R. 2934	8/5/98
18 VAC 85-80-40	Amended	14:21 VA.R. 2934	8/5/98
18 VAC 85-80-50	Amended	14:21 VA.R. 2934	8/5/98
18 VAC 85-80-60	Amended	14:21 VA.R. 2935	8/5/98
18 VAC 85-80-70	Amended	14:21 VA.R. 2935	8/5/98
18 VAC 85-80-80	Amended	14:21 VA.R. 2935	8/5/98
18 VAC 85-80-120	Amended	14:21 VA.R. 2935	8/5/98
18 VAC 110-20-210	Amended	14:15 VA.R. 2253	5/13/98
18 VAC 120-30-100	Amended	14:11 VA.R. 1846	4/1/98
18 VAC 125-20-30	Amended	14:11 VA.R. 1851	4/1/98
18 VAC 135-20-10*	Amended	14:20 VA.R. 2771	*
18 VAC 135-20-20*	Amended	14:20 VA.R. 2771	*
18 VAC 135-20-30*	Amended	14:20 VA.R. 2772	*
18 VAC 135-20-40*	Amended	14:20 VA.R. 2773	*
18 VAC 135-20-45*	Added	14:20 VA.R. 2773	*
18 VAC 135-20-50*	Amended	14:20 VA.R. 2773	*
18 VAC 135-20-60*	Amended	14:20 VA.R. 2774	*
18 VAC 135-20-80*	Amended	14:20 VA.R. 2774	*
18 VAC 135-20-90*	Amended	14:20 VA.R. 2775	*
18 VAC 135-20-100*	Amended	14:20 VA.R. 2775	*

*The regulatory process was suspended on this section in 14:24 VA.R. 3949, and the final effective date will be delayed.

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
18 VAC 135-20-110*	Amended	14:20 VA.R. 2776	*
18 VAC 135-20-120*	Amended	14:20 VA.R. 2776	*
18 VAC 135-20-150*	Amended	14:20 VA.R. 2776	*
18 VAC 135-20-160*	Amended	14:20 VA.R. 2776	*
18 VAC 135-20-170*	Amended	14:20 VA.R. 2777	*
18 VAC 135-20-180*	Amended	14:20 VA.R. 2777	*
18 VAC 135-20-190*	Amended	14:20 VA.R. 2778	*
18 VAC 135-20-200*	Amended	14:20 VA.R. 2779	*
18 VAC 135-20-210*	Amended	14:20 VA.R. 2779	*
18 VAC 135-20-220*	Amended	14:20 VA.R. 2780	*
18 VAC 135-20-240*	Amended	14:20 VA.R. 2780	*
18 VAC 135-20-250*	Amended	14:20 VA.R. 2780	*
18 VAC 135-20-260*	Amended	14:20 VA.R. 2780	*
18 VAC 135-20-270*	Amended	14:20 VA.R. 2781	*
18 VAC 135-20-280*	Amended	14:20 VA.R. 2781	*
18 VAC 135-20-290*	Amended	14:20 VA.R. 2781	*
18 VAC 135-20-300*	Amended	14:20 VA.R. 2782	*
18 VAC 135-20-310*	Amended	14:20 VA.R. 2782	*
18 VAC 135-20-320*	Amended	14:20 VA.R. 2783	*
18 VAC 135-20-350*	Amended	14:20 VA.R. 2783	*
18 VAC 135-20-360*	Amended	14:20 VA.R. 2783	*
18 VAC 135-20-370*	Amended	14:20 VA.R. 2784	*
18 VAC 135-20-380*	Amended	14:20 VA.R. 2784	*
18 VAC 135-20-390*	Amended	14:20 VA.R. 2784	*
18 VAC 135-20-400*	Amended	14:20 VA.R. 2785	*
18 VAC 135-20-410*	Amended	14:20 VA.R. 2785	*
18 VAC 135-20-420*	Repealed	14:20 VA.R. 2785	*
18 VAC 135-20-430*	Repealed	14:20 VA.R. 2785	*
18 VAC 135-20-440*	Repealed	14:20 VA.R. 2785	*
Title 19. Public Safety			
19 VAC 30-20-10	Amended	14:11 VA.R. 1853	3/18/98
19 VAC 30-20-70	Amended	14:11 VA.R. 1853	3/18/98
19 VAC 30-20-80	Amended	14:11 VA.R. 1854	3/18/98
19 VAC 30-20-140	Amended	14:11 VA.R. 1854	3/18/98
19 VAC 30-20-150	Amended	14:11 VA.R. 1854	3/18/98
19 VAC 30-20-160	Amended	14:11 VA.R. 1854	3/18/98
19 VAC 30-170-05	Added	14:22 VA.R. 3225	7/1/98
19 VAC 30-170-10	Amended	14:22 VA.R. 3225	7/1/98
19 VAC 30-170-20	Amended	14:22 VA.R. 3225	7/1/98
19 VAC 30-170-30	Amended	14:22 VA.R. 3226	7/1/98
19 VAC 30-170-40	Amended	14:22 VA.R. 3227	7/1/98
19 VAC 30-170-50	Amended	14:22 VA.R. 3228	7/1/98
19 VAC 30-170-60	Added	14:22 VA.R. 3228	7/1/98
Title 20. Public Utilities and Telecommunications			
20 VAC 5-310-10	Amended	14:15 VA.R. 2253	3/24/98
Title 21. Securities and Retail Franchising			
21 VAC 5-10-40	Amended	14:22 VA.R. 3240	7/1/98
21 VAC 5-20-10	Amended	14:22 VA.R. 3240	7/1/98
21 VAC 5-20-70	Amended	14:22 VA.R. 3241	7/1/98
21 VAC 5-20-80	Amended	14:22 VA.R. 3241	7/1/98
21 VAC 5-20-230	Amended	14:22 VA.R. 3243	7/1/98
21 VAC 5-20-290	Amended	14:22 VA.R. 3243	7/1/98

*The regulatory process was suspended on this section in 14:24 VA.R. 3949, and the final effective date will be delayed.

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
21 VAC 5-20-300	Amended	14:22 VA.R. 3243	7/1/98
21 VAC 5-30-20	Amended	14:22 VA.R. 3244	7/1/98
21 VAC 5-30-50	Amended	14:22 VA.R. 3244	7/1/98
21 VAC 5-30-60	Amended	14:22 VA.R. 3244	7/1/98
21 VAC 5-30-70	Amended	14:22 VA.R. 3244	7/1/98
21 VAC 5-30-80	Amended	14:22 VA.R. 3245	7/1/98
21 VAC 5-40-20	Amended	14:22 VA.R. 3245	7/1/98
21 VAC 5-40-30	Amended	14:22 VA.R. 3246	7/1/98
21 VAC 5-40-100	Amended	14:22 VA.R. 3247	7/1/98
21 VAC 5-40-120	Amended	14:22 VA.R. 3249	7/1/98
21 VAC 5-80-10	Amended	14:22 VA.R. 3249	7/1/98
21 VAC 5-80-40	Amended	14:22 VA.R. 3250	7/1/98
21 VAC 5-80-140	Amended	14:22 VA.R. 3250	7/1/98
21 VAC 5-80-160	Amended	14:22 VA.R. 3251	7/1/98
21 VAC 5-80-170	Amended	14:22 VA.R. 3253	7/1/98
21 VAC 5-80-210	Amended	14:22 VA.R. 3253	7/1/98
21 VAC 5-80-220	Amended	14:22 VA.R. 3254	7/1/98
21 VAC 5-80-250	Added	14:22 VA.R. 3255	7/1/98
21 VAC 5-85-10	Amended	14:13 VA.R. 1976	2/17/98
21 VAC 5-85-10	Amended	14:15 VA.R. 2259	3/24/98
21 VAC 5-85-10	Amended	14:22 VA.R. 3256	7/1/98
21 VAC 5-120-10 through 21 VAC 5-120-110	Added	14:22 VA.R. 3261-3264	7/1/98
Title 22. Social Services			
22 VAC 15-30-10	Amended	14:21 VA.R. 2942	9/1/98
22 VAC 15-30-20	Amended	14:21 VA.R. 2946	9/1/98
22 VAC 15-30-30	Amended	14:21 VA.R. 2946	9/1/98
22 VAC 15-30-40	Repealed	14:21 VA.R. 2946	9/1/98
22 VAC 15-30-50	Amended	14:21 VA.R. 2946	9/1/98
22 VAC 15-30-60	Repealed	14:21 VA.R. 2947	9/1/98
22 VAC 15-30-70	Amended	14:21 VA.R. 2948	9/1/98
22 VAC 15-30-80	Amended	14:21 VA.R. 2948	9/1/98
22 VAC 15-30-90	Amended	14:21 VA.R. 2948	9/1/98
22 VAC 15-30-100	Amended	14:21 VA.R. 2949	9/1/98
22 VAC 15-30-110	Amended	14:21 VA.R. 2949	9/1/98
22 VAC 15-30-120	Amended	14:21 VA.R. 2949	9/1/98
22 VAC 15-30-130	Amended	14:21 VA.R. 2950	9/1/98
22 VAC 15-30-140	Amended	14:21 VA.R. 2950	9/1/98
22 VAC 15-30-150	Amended	14:21 VA.R. 2950	9/1/98
22 VAC 15-30-160	Amended	14:21 VA.R. 2950	9/1/98
22 VAC 15-30-170	Amended	14:21 VA.R. 2951	9/1/98
22 VAC 15-30-180	Amended	14:21 VA.R. 2951	9/1/98
22 VAC 15-30-190	Amended	14:21 VA.R. 2952	9/1/98
22 VAC 15-30-200	Amended	14:21 VA.R. 2952	9/1/98
22 VAC 15-30-210	Repealed	14:21 VA.R. 2952	9/1/98
22 VAC 15-30-220	Repealed	14:21 VA.R. 2952	9/1/98
22 VAC 15-30-230	Amended	14:21 VA.R. 2953	9/1/98
22 VAC 15-30-240	Repealed	14:21 VA.R. 2953	9/1/98
22 VAC 15-30-250	Amended	14:21 VA.R. 2954	9/1/98
22 VAC 15-30-260	Amended	14:21 VA.R. 2954	9/1/98
22 VAC 15-30-270	Repealed	14:21 VA.R. 2955	9/1/98
22 VAC 15-30-280	Amended	14:21 VA.R. 2955	9/1/98
22 VAC 15-30-290	Amended	14:21 VA.R. 2955	9/1/98
22 VAC 15-30-300	Repealed	14:21 VA.R. 2955	9/1/98
22 VAC 15-30-310	Amended	14:21 VA.R. 2955	9/1/98

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
22 VAC 15-30-320	Amended	14:21 VA.R. 2956	9/1/98
22 VAC 15-30-330	Amended	14:21 VA.R. 2957	9/1/98
22 VAC 15-30-340	Amended	14:21 VA.R. 2958	9/1/98
22 VAC 15-30-350	Amended	14:21 VA.R. 2958	9/1/98
22 VAC 15-30-360	Amended	14:21 VA.R. 2959	9/1/98
22 VAC 15-30-370	Amended	14:21 VA.R. 2959	9/1/98
22 VAC 15-30-380	Amended	14:21 VA.R. 2959	9/1/98
22 VAC 15-30-390	Amended	14:21 VA.R. 2960	9/1/98
22 VAC 15-30-400	Repealed	14:21 VA.R. 2960	9/1/98
22 VAC 15-30-410	Amended	14:21 VA.R. 2961	9/1/98
22 VAC 15-30-420	Repealed	14:21 VA.R. 2961	9/1/98
22 VAC 15-30-430	Amended	14:21 VA.R. 2961	9/1/98
22 VAC 15-30-440	Amended	14:21 VA.R. 2962	9/1/98
22 VAC 15-30-450	Repealed	14:21 VA.R. 2963	9/1/98
22 VAC 15-30-451	Added	14:21 VA.R. 2965	9/1/98
22 VAC 15-30-460	Repealed	14:21 VA.R. 2963	9/1/98
22 VAC 15-30-461	Added	14:21 VA.R. 2965	9/1/98
22 VAC 15-30-470	Repealed	14:21 VA.R. 2964	9/1/98
22 VAC 15-30-471	Added	14:21 VA.R. 2966	9/1/98
22 VAC 15-30-480	Repealed	14:21 VA.R. 2964	9/1/98
22 VAC 15-30-481	Added	14:21 VA.R. 2966	9/1/98
22 VAC 15-30-484	Added	14:21 VA.R. 2966	9/1/98
22 VAC 15-30-487	Added	14:21 VA.R. 2966	9/1/98
22 VAC 15-30-490	Amended	14:21 VA.R. 2966	9/1/98
22 VAC 15-30-500	Amended	14:21 VA.R. 2967	9/1/98
22 VAC 15-30-510	Amended	14:21 VA.R. 2968	9/1/98
22 VAC 15-30-520	Amended	14:21 VA.R. 2968	9/1/98
22 VAC 15-30-530	Repealed	14:21 VA.R. 2969	9/1/98
22 VAC 15-30-540	Amended	14:21 VA.R. 2969	9/1/98
22 VAC 15-30-550	Amended	14:21 VA.R. 2969	9/1/98
22 VAC 15-30-560	Amended	14:21 VA.R. 2970	9/1/98
22 VAC 15-30-570	Amended	14:21 VA.R. 2970	9/1/98
22 VAC 15-30-575	Added	14:21 VA.R. 2970	9/1/98
22 VAC 15-30-580	Amended	14:21 VA.R. 2971	9/1/98
22 VAC 15-30-590	Amended	14:21 VA.R. 2971	9/1/98
22 VAC 15-30-600	Amended	14:21 VA.R. 2972	9/1/98
22 VAC 15-30-610	Amended	14:21 VA.R. 2972	9/1/98
22 VAC 15-30-620	Amended	14:21 VA.R. 2973	9/1/98
22 VAC 15-30-630	Amended	14:21 VA.R. 2973	9/1/98
22 VAC 15-30-640	Amended	14:21 VA.R. 2974	9/1/98
22 VAC 15-30-650	Amended	14:21 VA.R. 2975	9/1/98
22 VAC 15-30-660	Amended	14:21 VA.R. 2975	9/1/98
22 VAC 15-30-670	Amended	14:21 VA.R. 2975	9/1/98
22 VAC 15-30-680	Repealed	14:21 VA.R. 2976	9/1/98
22 VAC 15-30-690	Repealed	14:21 VA.R. 2976	9/1/98
22 VAC 15-30-700	Repealed	14:21 VA.R. 2977	9/1/98
22 VAC 15-30-710	Repealed	14:21 VA.R. 2977	9/1/98
22 VAC 15-30-720	Repealed	14:21 VA.R. 2978	9/1/98
22 VAC 15-30-730	Repealed	14:21 VA.R. 2978	9/1/98
22 VAC 15-40-10 through 22 VAC 15-40-730	Repealed	14:21 VA.R. 2990	9/1/98
Title 24. Transportation and Motor Vehicles			
24 VAC 22-30-20	Amended	14:24 VA.R. 3949	10/1/98
24 VAC 22-30-30	Amended	14:24 VA.R. 3950	10/1/98
24 VAC 30-71-10	Amended	14:23 VA.R. 3633	9/3/98

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
24 VAC 30-71-80	Amended	14:23 VA.R. 3634	9/3/98
24 VAC 30-71-130	Amended	14:23 VA.R. 3634	9/3/98
24 VAC 30-71-160	Erratum	14:13 VA.R. 2011	--
24 VAC 30-71-170	Erratum	14:13 VA.R. 2028	--
24 VAC 30-170-10	Amended	14:13 VA.R. 1992	4/15/98
24 VAC 30-350-10	Amended	14:23 VA.R. 3635	7/14/98
24 VAC 30-380-10	Amended	14:13 VA.R. 1992	2/24/98
24 VAC 30-390-10	Amended	14:13 VA.R. 1992	2/24/98

NOTICES OF INTENDED REGULATORY ACTION

Symbol Key

† Indicates entries since last publication of the *Virginia Register*

TITLE 1. ADMINISTRATION

DEPARTMENT OF GENERAL SERVICES

Division of Consolidated Laboratory Services

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of General Services intends to consider promulgating regulations entitled: **1 VAC 30-45-10 et seq. Environmental Laboratory Certification Program.** The purpose of the proposed action is to establish procedures, standards and requirements for the certification of laboratories performing tests and analyses required by the Virginia Waste Management Act and the State Water Control Law. The program established by the regulation will ensure that these laboratories provide accurate and consistent tests, analyses, measurements and monitoring.

Public Meeting: A public meeting will be held by the Division of Consolidated Laboratory Services in House Room 1, State Capitol Building, Capitol Square, Richmond, Virginia 23219, at 10:30 a.m. on Wednesday, September 30, 1998, to discuss the intended action. Unlike a public hearing, which is intended only to receive testimony, this meeting is being held to discuss and exchange ideas and information relative to regulation development.

Ad Hoc Advisory Group: The department will form an ad hoc advisory group to assist in the development of the regulation. If you desire to be in the group, notify the agency contact in writing by 4:30 p.m. on October 1, 1998, and provide your name, address, phone number and the organization you represent (if any). Notification of the composition of the ad hoc advisory group will be sent to all applicants. If you wish to be in the group, you are encouraged to attend the public meeting mentioned above. The primary function of the group is to develop recommended regulation amendments for department consideration through the collaborative approach of regulatory negotiation and consensus.

Public Hearing Plans: After publication in the Virginia Register of Regulations, the department will hold at least one public hearing to provide opportunity for public comment on any regulation amendments drafted pursuant to this notice.

Need: The contemplated regulation is essential (i) to protect the health, safety or welfare of citizens and (ii) for the efficient and economical performance of an important governmental function. The reasoning for this conclusion is set forth below.

Compliance with the State Water Control Law and the Virginia Waste Management Act is determined, to a great extent, by the analysis of samples and other measurements taken of Virginia's water and terrain. Accurate and consistent analysis of these samples ensures that the determination of compliance with Virginia's water quality and waste management laws is also accurate and consistent. In turn, the health and welfare of the people of the Commonwealth are protected. In addition, samples from those parties whose compliance is being determined are analyzed in an equally consistent and accurate fashion.

Certifying laboratories that do consistent and accurate analyses ensures efficient and economical implementation of the state's water and waste laws. The state agency responsible for carrying out the laws will be assured that they can rely upon the analytical results of certified laboratories in determining compliance with these laws.

In addition, the state law requires the use of nationally accepted accreditation standards. Virginia's water quality and waste management laws and regulations are mandated in part by federal statute and regulation. Because the federal government funds the implementation of these laws in the state to some extent, it also determines whether the state agency carrying out these federal mandates is doing an acceptable job. An accurate, consistent and verifiable analysis in certified laboratories of samples taken to determine compliance provides assurance of the state's competency in implementing federal mandates on water quality and waste management.

Alternatives: Alternatives to the proposed regulation amendments being considered by the department are:

1. Develop the regulation to satisfy the provisions of the law and federal standards and policies. This option is being selected because it meets the stated purpose of the regulatory action: to ensure that laboratories perform accurate and consistent tests, analyses, measurements and monitoring required by the Virginia Waste Management Act and the State Water Control Law.
2. Make alternative regulatory changes to those required by the provisions of the law and federal standards and policies. This option is not being selected because it does not meet the stated purpose of the regulation and may not be consistent with state law and federal standards and policies.
3. Take no action to develop the regulation. This option is not being selected because state law requires that a regulation be developed.

Applicable Statutory Requirements: The contemplated regulation is mandated by state law. A succinct statement of

Notices of Intended Regulatory Action

the source (including legal citation) and scope of the mandate may be found below.

Section 2.1-429.01 of the Code of Virginia (Title 2.1, Chapter 32) requires that the Division of Consolidated Laboratory Services establish a program by regulation that will certify laboratories conducting tests, analyses, measurements, or monitoring pursuant to the Virginia Waste Management Act (§ 10.1-1400 et seq.) or the State Water Control Law (§ 62.1-44.2 et seq.). The program is to be based on standards adopted by the National Environmental Laboratory Accreditation Conference sponsored by the U.S. Environmental Protection Agency to ensure accurate and consistent testing and analysis by the certified laboratories.

The state law requires that the program include minimum criteria for the following: (i) laboratory procedures; (ii) performance evaluations; (iii) supervisory and personnel requirements; (iv) facilities and equipment; (v) analytical quality control and quality assurance; (vi) certificate issuance and maintenance; (vii) recertification and decertification; and (viii) granting full and partial exemptions from the program based on compliance and performance. The law also requires that a fee system be established to pay for the costs of certifying laboratories under this program. Procedures for determining the qualifications of laboratories outside of Virginia used to conduct tests and analyses for use in Virginia must also be developed under § 2.1-429.01 of the Code of Virginia. In addition, the law allows other components to be added to the program.

Statutory Authority: § 2.1-429.01 of the Code of Virginia.

Public comments may be submitted until 4:30 p.m., October 1, 1998, to the Director, Bureau of Customer Services, Division of Consolidated Laboratory Services, 1 North 14th Street, Richmond, Virginia 23219.

Contact: Nancy S. Saylor, Division of Consolidated Laboratory Services, Department of General Services, 1 N. 14th St., Richmond, VA 23219, telephone (804) 231-7980 or FAX (804) 231-7980.

VA.R. Doc. No. R98-312; Filed August 12, 1998, 11:19 a.m.

TITLE 9. ENVIRONMENT

STATE AIR POLLUTION CONTROL BOARD

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Air Pollution Control Board intends to consider amending regulations entitled: **9 VAC 5-91-10 et seq. Regulation for the Control of Motor Vehicle Emissions in Northern Virginia.** The purpose of the proposed action is to develop a regulation revision which conforms to state law and federal Clean Air Act requirements

for the testing of emissions from motor vehicles located or primarily operated in Northern Virginia.

Public Meeting: A public meeting will be held by the department in the regional headquarters in Woodbridge, 13901 Crown Court, Woodbridge, Virginia, at 10 a.m. on Tuesday, September 29, 1998, to discuss the intended action. Unlike a public hearing, which is intended only to receive testimony, this meeting is being held to discuss and exchange ideas and information relative to regulation development.

Accessibility to Persons with Disabilities: The meeting is being held at a public facility accessible to persons with disabilities. Any person with questions on the accessibility of the facility should contact Ms. Faye Arrington at the Office of Air Quality Programs, Department of Environmental Quality, P.O. Box 10009, Richmond, Virginia 23240, or by telephone at (804) 698-4031 or TTY (804) 698-4021. Persons needing interpreter services for the deaf must notify Ms. Arrington no later than September 15, 1998.

Ad Hoc Advisory Group: The department is soliciting comments on the advisability of forming an ad hoc advisory group, utilizing a standing advisory committee or consulting with groups or individuals registering interest in working with the department to assist in the drafting and formation of any proposal. The primary function of any group, committee or individuals that may be utilized is to develop recommended regulation amendments for department consideration through the collaborative approach of regulatory negotiation and consensus. Any comments relative to this issue may be submitted until 4:30 p.m. September 30, 1998, to David J. Kinsey, Office of Air Quality Programs, Department of Environmental Quality, P.O. Box 10009, Richmond, Virginia 23240.

Public Hearing Plans After publication in the Virginia Register of Regulations, the department will hold at least one public hearing to provide opportunity for public comment on any regulation drafted pursuant to this notice.

Need: One of the primary goals of the federal Clean Air Act (Act) is the attainment and maintenance of the National Ambient Air Quality Standards (NAAQS). These standards, designed to protect public health and welfare, apply to six pollutants, of which ozone is the primary focus of this proposed action. Ozone is formed when volatile organic compounds (VOCs) and nitrogen oxides (NO_x) in the air react together in the presence of sunlight. VOCs are chemicals contained in gasoline, polishes, paints, varnishes, cleaning fluids, inks, and other household and industrial products. NO_x emissions are a byproduct from the combustion of fuels and industrial processes.

The National Ambient Air Quality Standard for ozone is currently 0.12 parts per million (ppm) and was established by the U.S. Environmental Protection Agency (EPA) to protect the health of the general public with an adequate margin of safety. When concentrations of ozone in the ambient air exceed the federal standard the area is considered to be out of compliance and is classified as "nonattainment." Several counties and cities within the

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Northern Virginia area have been identified as ozone nonattainment areas according to provisions of the Act.

States are required to develop plans to ensure that areas will come into compliance with the federal health standard. Failure to develop adequate programs to meet the ozone air quality standard (i) may result in the continued violations of the standard and subsequent negative affects on human health, (ii) may result in assumption of the program by EPA at which time the Commonwealth would lose authority over matters affecting its citizens, and (iii) may result in the implementation of sanctions by EPA, such as more restrictive requirements on new major industrial facilities and loss of federal funds for highway construction. Furthermore, if a particular area fails to attain the federal standard by the legislatively mandated attainment date, EPA is required to reassign it to the next higher classification level (denoting a worse air quality problem), thus subjecting the area to more stringent control requirements.

Motor vehicle emissions inspection programs, known as inspection and maintenance (I/M) programs, are an integral part of the effort to reduce mobile source air pollution. Cars and trucks create about half of the ozone air pollution. Of all highway vehicles, passenger cars and light trucks emit most of the vehicle-related carbon monoxide and ozone-forming hydrocarbons. Tremendous progress has been made in reducing these pollutants; however, total vehicle emissions remain high. This is because the number of vehicle miles traveled on our highways has doubled in the last 20 years, offsetting much of the technological progress in vehicle emission control over the same two decades. Ongoing efforts to reduce emissions from individual vehicles will be necessary to achieve the agency's air quality goals.

I/M programs achieve their objective by identifying vehicles that have high emissions as a result of one or more malfunctions and requiring them to be repaired. Minor malfunctions in the emissions control system can increase emissions significantly. The average car on the road can emit three to four times the carbon monoxide and hydrocarbons allowed by new car standards if emission control systems are malfunctioning. Unfortunately, rarely is it obvious which cars have malfunctions as the emissions themselves may not be noticeable and emission control malfunctions do not necessarily affect vehicle driveability.

I/M programs provide a way to check whether the emission control systems on a vehicle are working correctly. All new passenger cars and trucks sold in the United States today must meet stringent air pollution standards and those standards became more stringent in model year 1994, but they can only retain this low-polluting profile if the emission controls and engine are functioning properly. An I/M program is designed to ensure that vehicles stay clean in actual use. This, in turn, can substantially reduce the amount of volatile organic compounds, carbon monoxide, and nitrogen oxides emitted to the ambient air, thereby reducing the formation of ozone, lowering ozone concentrations, and contributing toward attainment of the NAAQS.

Alternatives:

1. Draft new regulation revisions which will provide for implementation of a motor vehicle emissions testing program that meets the provisions of the state code, federal Clean Air Act and associated EPA regulations and policies.

2. Draft new regulation revisions which will provide for implementation of a motor vehicle emissions testing program that does not meet the provisions, or meets alternative provisions, of the state code, federal Clean Air Act and associated EPA regulations and policies. No regulatory alternatives to an enhanced I/M program have been promulgated by EPA as meeting the requirements of the Act. Adopting an unapprovable program will result in sanctions being imposed by EPA.

3. Take no action to develop the regulation revisions and risk sanctions by EPA.

Costs and Benefits: The department is soliciting comments on the costs and benefits of the alternatives stated above or other alternatives.

Applicable Statutory Requirements: The 1990 amendments to the Clean Air Act established a process for evaluating the air quality in each region and identifying and classifying each nonattainment area according to the severity of its air pollution problem. Nonattainment areas are classified as marginal, moderate, serious, severe and extreme. Marginal areas are subject to the least stringent requirements and each subsequent classification (or class) is subject to successively more stringent control measures. Areas in a higher classification of nonattainment must meet the mandates of the lower classifications plus the more stringent requirements of its own class.

The Northern Virginia area has an ozone air pollution problem classified by the EPA as "serious." The problem is a result of emissions from both industrial sources and motor vehicles. The Act requires that all areas classified as serious must implement an enhanced vehicle emissions inspection and maintenance program, commonly referred to as I/M.

Section 182(c)(3) of the federal Clean Air Act requires that the state submit revisions to the state implementation plan to "provide for an enhanced program to reduce hydrocarbon emissions and NO_x emissions from in-use motor vehicles...." The program "shall comply in all respects with guidance...by the Administrator..." The Act requires that enhanced I/M programs be implemented within two years of enactment (11/16/90) of the Clean Air Act Amendments of 1990. The program implemented by the state must achieve a performance standard equal to:

(i) "...a program combining emission testing, including on-road emission testing, with inspection to detect tampering with emission control devices and misfueling for all light-duty vehicles and all light-duty trucks subject to standards under § 202; and

(ii) program administration features necessary to reasonably assure that adequate management resources, tools, and practices are in place to attain and maintain the performance standard."

Notices of Intended Regulatory Action

The compliance method is to be established, per the Act, by EPA. The state program, per the Act, must include, at a minimum:

1. Computerized emission analyzers, including on-road testing devices.
2. No waivers for vehicles and parts covered by an emission control performance warranty.
3. For nonwarranty situations, waivers only after \$450 (in 1990 dollars) has been spent for emissions-related repairs.
4. Enforcement through registration denial.
5. Annual testing unless biennial testing, in combination with other features, will equal or exceed emissions reductions obtainable through annual inspections.
6. Operation on a centralized basis unless the state demonstrates to the satisfaction of the administrator that a decentralized program will be equally effective.

This law is implemented by EPA through 40 CFR Part 51, subpart S. The performance standard for the program is contained in § 51.351, "Enhanced I/M Performance Standard." It includes:

1. Centralized testing.
2. Annual testing.
3. Testing of 1968 and later model year vehicles.
4. Transient, mass emissions testing on 1986 and later model year vehicles, two-speed idle testing of 1981-1985 vehicles, and single-speed idle testing of pre-1981 vehicles.
5. Testing of light duty vehicles and trucks.
6. Emissions standards according to model year and weight class as enumerated in § 51.351(a)(7).
7. Visual inspection of the catalyst and fuel inlet restrictor on all 1984 and later model year vehicles.
8. Evaporative system integrity (pressure) test on 1983 and later vehicles and an evaporative system transient purge test on 1986 and later vehicles.
9. Twenty percent emission test failure rate among pre-1981 model year vehicles
10. Three percent (3%) waiver rate
11. Ninety-six percent (96%) compliance rate
12. On-road testing of at least 0.5% of the subject vehicle population.

Under the current rule, the state has considerable flexibility to design its own program and demonstrate that it is as effective as the EPA model program in reducing emissions.

Sections 46.2-1176 through 46.2-1187.3 of the Virginia Motor Vehicle Emissions Control Law (Title 46.2, Chapter 10, Article 22 of the Code of Virginia) requires a "test and

repair enhanced emissions inspection program" for vehicles that have actual gross weights of 10,000 pounds or less and are registered in the Counties of Arlington, Fairfax, Loudoun, Prince William, and Stafford, and the and the Cities of Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park. Key provisions of the legislation include:

1. A biennial inspection;
2. An inspection fee cap of \$20;
3. A minimum repair cost of \$450 (in 1990 dollars) in order to qualify for a waiver, and requirement that repairs to qualify for a waiver be done by a certified repair technician;
4. Motor vehicles being titled for the first time may be registered for up to two ears without being subject to an emissions inspection;
5. An exemption for any of the following vehicles, (i) vehicles powered by a clean special fuel as defined in § 58.1-2101, (ii) motorcycles, (iii) vehicles which, at the time of manufacture were not designed to meet emission standards set or approved by the federal government, (iv) any antique motor vehicle as defined in § 46.2-100 and licensed pursuant to § 46.2-730, or (v) vehicles for which no testing standards have been adopted by the board;
6. The requirement for the inspection to apply to all vehicles registered and/or operated in the affected area including (i) vehicles owned by government entities, (ii) vehicles owned by military personnel residing in the affected areas, and (iii) vehicles owned by leasing or rental companies;
7. The certification of motor vehicle emissions repair technicians and emissions repair facilities, including the suspension or revocation of such certification;
8. In addition to biennial testing of all subject vehicles, on-road testing of motor vehicles in use and requirement for follow-up testing of those vehicles which exceed emissions standards; and

The Code of Virginia directs the State Air Pollution Control Board to adopt regulations to implement the program.

Statutory Authority: §§ 46.2-1178.1, 46.2-1179, 46.2-1180, and 46.2-1187.2 of the Code of Virginia.

Public comments may be submitted until close of business Tuesday, September 29, 1998.

Contact: David J. Kinsey, Office of Air Quality Programs, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240.

VA.R. Doc. No. R98-302; Filed July 24, 1998, 4:17 p.m.

Notices of Intended Regulatory Action

STATE WATER CONTROL BOARD

Notice of Intended Regulatory Action

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 consider amending regulations entitled: **9 VAC 25-260-10 et seq. Water Quality Standards.** The purpose of the proposed action is to receive comments from the public on whether the board should (i) propose amendments to the numerical criteria for metals to include the Environmental Protection Agency's dissolved conversion factors for metals (9 VAC 25-260-140 B); (ii) propose amendments to the mixing zone section (9 VAC 25-260-20 B) of the regulation to provide specific protection to endangered and threatened species; (iii) propose updates to the listing of endangered species (9 VAC 25-260-110); and (iv) consider whether the requirements of the antidegradation policy (9 VAC 25-260-30) should apply to all state activities, including nonpoint source activities.

Intent: These issues may have a significant impact on activities in the Commonwealth and DEQ intends to provide the public every avenue of public participation, beginning with this Notice of Intended Regulatory Action, in order to ensure the amendments are necessary to protect aquatic life and provide for the maintenance of water quality in the Commonwealth of Virginia.

Public Hearing Plans: After publication in the Virginia Register of Regulations, the department will hold at least one public hearing to provide opportunity for public comment on any regulation amendments drafted pursuant to this notice.

Need: The Environmental Protection Agency submitted comments to the Department of Environmental Quality stating that recent amendments to the Water Quality Standards would not meet federal approval unless the subject matters listed above were addressed. At its meeting on September 25, 1997, the State Water Control Board directed the staff to publish this Notice of Intended Regulatory Action so that the issues could be presented to the public.

Alternatives: DEQ could allow the Environmental Protection Agency to promulgate amendments to Virginia's water quality standards to address the four issues. This is the least favorable alternative since it is preferable to promulgate regulations that are tailored to meet Virginia's needs. EPA has never had to promulgate water quality regulations for Virginia in the past.

There may be various alternatives to address the Environmental Protection Agency's concerns regarding endangered species. For example, smaller mixing zones (rather than no mixing zones) could be specified for endangered and threatened species waters or the regulation could "grandfather" existing mixing zones and only apply the new protection requirements for endangered species to new discharges. Regarding the listing of endangered and threatened species, the list could contain only federal species or both federal and state listed species. DEQ has

technical concerns regarding the dissolved metals conversion factors. Therefore, one alternative to address this need would be for DEQ to do the necessary research to resolve these concerns before adopting the conversion factors.

Request for Comments: Comments are requested on the intended regulatory action, to include any ideas to assist the agency in the development of the proposal. Comments are requested on the costs and benefits of the stated alternatives or other alternatives. DEQ also requests comments as to whether the agency should use the participatory approach to assist the agency in the development of the proposal. The participatory approach is defined as a method for the use of (i) standing advisory committees, (ii) ad hoc advisory groups or panels, (iii) consultation with groups or individuals registering interest in working with the agency, or (iv) any combination thereof.

Public Meetings: Public meetings will be held on Wednesday, September 9, 1998, at 7 p.m. and Thursday, September 10, 1998, at 2 p.m. at the Virginia War Memorial, 621 South Belvidere Street, Richmond, Virginia 23220.

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

Public comments may be submitted until September 18, 1998, to Dr. Alan J. Anthony, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240.

Contact: Eleanore Daub, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4111.

VA.R. Doc. No. R98-266; Filed June 30, 1998, 9:27 a.m.



TITLE 12. HEALTH

DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

† Notice of Intended Regulatory Action

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 consider amending regulations entitled: **12 VAC 30-80-10 et seq.. Methods and Standards for Establishing Payment Rates; Other Types of Care; Payment of Medicare Part A and Part B Deductible Coinsurance.** The purpose of the proposed action is to modify the State Plan for Medical Assistance to pay for Medicare coinsurance and deductibles at the Medicaid rate, as permitted by § 4714 of the Balanced Budget Act of 1997. The agency does not intend to hold a public hearing on the proposed regulation after publication.

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

Public comments may be submitted until September 30,

Notices of Intended Regulatory Action

1998, to Jim Cohen, Manager, Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, VA 23219.

Contact: Victoria P. Simmons, Regulatory Coordinator, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 371-8850 or FAX (804) 371-4981.

† Withdrawal of Notice of Intended Regulatory Action

Notice is hereby given that the Department of Medical Assistance Services has **WITHDRAWN** the Notice of Intended Regulatory Action for **12 VAC 30-120-310. Waivered Services: Services Exempted from Medallion**, which was published in 14:9 VA.R. 1290 January 19, 1998. The agency has determined that the intent of House Joint Resolution of the 1997 Session of the General Assembly can be accomplished without proceeding with this regulatory action.

Contact: Victoria P. Simmons, Regulatory Coordinator, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 371-8850, FAX (804) 371-4981 or (800) 343-0634/TTY.

VA.R. Doc. No. R98-167; Filed August 11, 1998, 10:14 a.m.



TITLE 13. HOUSING

BOARD OF HOUSING AND COMMUNITY DEVELOPMENT

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Housing and Community Development intends to consider amending regulations entitled: **13 VAC 5-91-10 et seq. Virginia Industrialized Building Safety Regulations**. The purpose of the proposed action is to delete or amend provisions that are found to be no longer necessary or overly restrictive, to amend the regulations as required by General Assembly action, and to put before the public for comment suggested changes submitted to the Board of Housing and Community Development. Those provisions may include but are not limited to (i) deleting the section regarding the requirement for "warning signs" on unregistered industrialized buildings offered for sale by dealers in Virginia and (ii) deleting the section regarding the requirement for the building manufacturer to include the name and model numbers of appliances in industrialized buildings. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 36-137 of the Code of Virginia.

Public comments may be submitted until September 3, 1998.

Contact: Norman R. Crumpton, Associate Director, Department of Housing and Community Development, 501 N. 2nd St., Richmond, VA 23219, telephone (804) 371-7170, FAX (804) 371-7092 or (804) 371-7089/TTY ☎

VA.R. Doc. No. R98-297; Filed July 14, 1998, 12:02 p.m.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Housing and Community Development intends to consider amending regulations entitled: **13 VAC 5-111-10 et seq. Enterprise Zone Program Regulations**. The purpose of the proposed action is to provide clearer guidance regarding the state enterprise zone program incentives that stimulate new job creation and private investment in designated distressed enterprise zones. Amendments will give clearer guidelines for businesses in qualifying for the use of these incentives.

In 1995, the General Assembly made significant legislative changes to the enterprise zone program. Since that time, it has been discovered that more guidance is needed to ensure that the program is operating as efficiently and fairly as possible. These proposed regulations are to provide this guidance to the localities and businesses that benefit from the enterprise zone program.

The proposed regulations are needed to enable the enterprise zone program to operate efficiently and economically. Three of the four state incentives provided in the program are structured as tax credits. In addition, there are fiscal limits placed on the amount of credits that can be authorized. It has come to the board's attention that there is a considerable amount of confusion concerning the requirements and operation of the program. Many of the program clients have indicated that the current regulations do not clearly address the many issues surrounding program qualification and have requested clarification. There have been several questions concerning what types of businesses are eligible for this program and how these businesses can qualify. It is the board's desire to ensure that the regulations provide clear and understandable guidelines by addressing all issues concerning the performance of the program. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 59.1-273 of the Code of Virginia.

Public comments may be submitted until September 4, 1998.

Contact: M. Shea Hollifield, Associate Director, Department of Housing and Community Development, 501 N. 2nd St., Richmond, VA 23219, telephone (804) 371-7030 or FAX (804) 371-7093.

VA.R. Doc. No. R98-298; Filed July 14, 1998, 12:02 p.m.



Notices of Intended Regulatory Action

TITLE 18. PROFESSIONAL AND OCCUPATIONAL LICENSING

BOARD FOR WASTE MANAGEMENT FACILITY OPERATORS

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board for Waste Management Facility Operators intends to consider amending regulations entitled: **18 VAC 155-10-10 et seq. Public Participation Guidelines.** The purpose of the proposed action is to determine from public comment the effectiveness and continued need for the existing regulations. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: §§ 9-6.14:7.1 and 54.1-201 of the Code of Virginia.

Public comments may be submitted until September 3, 1998.

Contact: David E. Dick, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8507, FAX (804) 367-2475 or (804) 367-9753/TTY ☎

VA.R. Doc. No. R98-279; Filed July 8, 1998, 10:42 a.m.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board for Waste Management Facility Operators intends to consider amending regulations entitled: **18 VAC 155-20-10 et seq. Waste Management Facility Operators Regulations.** The purpose of the proposed action is to determine from public comment the effectiveness and continued need for the existing regulations. The board will solicit public comment, with specific emphasis on the following subjects:

1. Should the CPE requirement be either eliminated or amended?
2. Which state agency should decide when a licensed operator is required -- the boards administered by the Department of Environmental Quality or the Board for Waste Management Facility Operators administered by the Department of Professional and Occupational Regulation?
3. What is considered a "substantial change" to a training course in 18 VAC 155-20-230 E?
4. Should the seven-year experience requirement to qualify for licensure in lieu of facility specific training be modified or eliminated?
5. Should the sections dealing with reciprocity and reinstatement be amended?

6. Elimination of all references to "Interim Certification" since this is no longer applicable.

The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 54. 1-2211 of the Code of Virginia.

Public comments may be submitted until September 3, 1998.

Contact: David E. Dick, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8507, FAX (804) 367-2475 or (804) 367-9753/TTY ☎

VA.R. Doc. No. R98-278; Filed July 8, 1998, 10:42 a.m.



PUBLIC COMMENT PERIODS - PROPOSED REGULATIONS



PUBLIC COMMENT PERIODS REGARDING STATE AGENCY REGULATIONS

This section gives notice of public comment periods and public hearings to be held on proposed regulations. The notice will be published once at the same time the proposed regulation is published in the Proposed Regulations section of the *Virginia Register*. The notice will continue to be carried in the Calendar of Events section of the *Virginia Register* until the public comment period and public hearing date have passed.

Notice is given in compliance with § 9-6.14:7.1 of the Code of Virginia that the following public hearings and public comment periods regarding proposed state agency regulations are set to afford the public an opportunity to express their views.

TITLE 2. AGRICULTURE

PESTICIDE CONTROL BOARD

October 15, 1998 - 9 a.m. – Public Hearing
Department of Agriculture and Consumer Services, 1100
Bank Street, Room 204, Richmond, Virginia.

November 2, 1998 - Public 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 Pesticide Control Board intends to **repeal** regulations entitled: **2 VAC 20-50-10 et seq. Regulations Governing Pesticide Applicator Certification Under Authority of Virginia Pesticide Control Act** and to **adopt** regulations entitled: **2 VAC 20-51-10 et seq. Regulations Governing Pesticide Applicator Certification Under Authority of Virginia Pesticide Control Act**. The present proposed regulation is predicated on a Notice of Intended Regulatory Action published in the Virginia Register of Regulations on May 12, 1997, at page 1910. Although that Notice of Intended Regulatory Action indicated that the agency intended to amend 2 VAC 20-50-10 et seq., Regulations Governing Pesticide Applicator Certification Under Authority of Virginia Pesticide Control Act, the agency has determined, in consultation with the Registrar of Regulations, that it would be simpler to set out the amended language by repealing the entirety of the existing regulation and proposing a new regulation that contains much of the language of the existing regulation, along with the substantive amendments contemplated by the aforementioned Notice of Intended Regulatory Action. The substantive features of the proposed regulation not contained in the existing regulation will clarify requirements for certification of applicators of pesticides in accordance with statutory changes effective July 1, 1995, in §§ 3.1-249.27, 3.1-249.51, and 3.1-249.53 of the Code of Virginia as well as respond to comments from the general public and industry workers in response to the agency's review of regulations under the Governor's Executive Order 15 (94). The certification regulation sets standards of certification for persons specified by statute who use or supervise the use of pesticides in Virginia. Those persons governed by the regulation include, but are not limited to, farmers using restricted use pesticides (any pesticide classified for

restricted use by the Administrator of the United States Environmental Protection Agency) on their own land and persons who apply pesticides commercially. The certification regulation does not apply to persons who use general use pesticides (any pesticide classified as general use by the Administrator of the United States Environmental Protection Agency) in and around their homes. The certification regulation will help to assure that those persons subject to the certification regulation are adequately trained and competent to use pesticides.

Several changes from the current regulation were made when the proposed regulation was being drafted. Several sections of the proposed regulation were developed to produce a document that is easier to read and comprehend. A few terms and definitions have been added to the proposed certification regulation where needed for clarification. The proposed certification regulation includes a summary of who must be certified to apply pesticides in Virginia. Lists of the various classifications of pesticide applicators and the procedures for becoming certified are also included.

In the section of the proposed certification regulation concerning exemptions (2 VAC 20-51-60), forestry applicators (commercial pesticide applicators who apply pesticides in forestry environments) using general use herbicides (any herbicide classified as general use by the Administrator of the United States Environmental Protection Agency) for forest vegetation control under the direct onsite supervision of a commercial pesticide applicator (an applicator who uses or supervises the use of any pesticide for any purpose, or on any property for compensation) have been added to the list of those persons who are exempt from certification. The categories for private pesticide applicator (an applicator who uses or supervises the use of any pesticide which is classified for restricted use for the purposes of producing any agricultural commodity) certification have been combined to form four categories rather than the current seven. A section has been added to the proposed certification regulation to provide details about the specific requirements for on-the-job training for registered technicians (an individual who renders services similar to those of a certified commercial pesticide applicator, but who has not completed all the training or time in service requirements to be eligible for examination for

Public Comment Periods - Proposed Regulations

certification as a commercial pesticide applicator and is limited to application of general use pesticides).

2 VAC 20-50-120 was combined with 2 VAC 20-50-130 to make renewal of certification (training) and certificates (the document) occur at the same time instead of two different years. This proposed section also requires payment of the certificate fee on a biennial basis instead of an annual basis.

2 VAC 20-51-190 has been added to the proposed certification regulation to allow individuals who have received reciprocal certification to be recertified in Virginia by maintaining their training in the state where they are certified. Evidence of Financial Responsibility (2 VAC 20-50-220), a section that is included in the current certification regulation, has been deleted from the proposed certification regulation because it is not the Pesticide Control Board's intent to require Commercial Applicators-Not-for-Hire (a commercial pesticide applicator who uses or supervises the use of pesticides as part of his duties only on property owned or leased by him or his employer) to provide evidence of financial responsibility. This is a requirement placed on commercial firms that apply pesticides and is adequately covered by Rules and Regulations Governing Licensing of Pesticide Businesses by the Department of Agricultural and Consumer Services Operating Under Authority of the Virginia Pesticide Control Act (2 VAC 20-40-80).

Statutory Authority: § 3.1-249.30 of the Code of Virginia.

Contact: Dr. Marvin A. Lawson, Program Manager, Office of Pesticide Services, Virginia Department of Agriculture and Consumer services, P.O. Box 1163, Room 401, Richmond, VA 23218-1163, telephone (804) 371-6558, FAX (804) 371-8598, toll-free (800) 552-9963 or (804) 371-6344 (TTY).

Contact: Mark N. Courtney, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514.



TITLE 18. PROFESSIONAL AND OCCUPATIONAL REGULATION

BOARD FOR BRANCH PILOTS

October 29, 1998 - 9:30 a.m. – Public Hearing
Virginia Port Authority, 600 World Trade Center, 6th Floor,
Norfolk, Virginia.

October 30, 1998 - Public 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 Board for Branch Pilots intends to amend regulations entitled: **18 VAC 45-20-10 et seq. Board for Branch Pilots Regulations.** The purpose of the proposed amendments is to increase fees to comply with § 54.1-113 of the Code of Virginia.

Statutory Authority: §§ 54.1-902 and 54.1-907 of the Code of Virginia.

PROPOSED REGULATIONS

For information concerning Proposed Regulations, see Information Page.

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.

TITLE 2. AGRICULTURE

PESTICIDE CONTROL BOARD

Title of Regulation: **2 VAC 20-50-10 et seq. Regulations Governing Pesticide Applicator Certification Under Authority of Virginia Pesticide Control Act (REPEALING).**

2 VAC 20-51-10 et seq. Regulations Governing Pesticide Applicator Certification Under Authority of Virginia Pesticide Control Act.

Statutory Authority: § 3.1-249.30 of the Code of Virginia.

Public Hearing Date: October 15, 1998 - 9 a.m.

Public comments may be submitted until November 2, 1998.

(See Calendar of Events section for additional information)

Basis: Section 3.1-249.30 of the Code of Virginia contains the authority to make regulations governing the certification of persons applying pesticides. Most of the regulation is mandated.

Purpose: The substantive features of the proposed regulation not contained in the existing regulation will clarify requirements for certification of applicators of pesticides in accordance with statutory changes effective July 1, 1995, in §§ 3.1-249.27, 3.1-249.51, and 3.1-249.53 of the Code of Virginia. By clarifying who must be and how they must be certified to apply pesticides, the regulation will protect the public's health. Proper certification of pesticide applicators helps to reduce the possibility of inappropriate pesticide applications that can have adverse effects upon the public's health and the environment. The public's welfare will be protected through both the reduction of inappropriate pesticide applications, and the financial losses that can result from pesticide misuse. The substantive new features of the proposed regulation will embrace the following matters: categories of pesticide applicators, certification requirements for pesticide applicators, certification standards for pesticide applicators, suspension and revocation of certificates, denial of certification, reciprocal certification, recordkeeping requirements, evidence of financial responsibility, and general housekeeping changes to make the regulation clearer. In addition, as a part of this regulatory action, the agency intends to incorporate changes in the proposed certification regulation to ensure its effectiveness and to eliminate unnecessary duplication of language.

Substance: The proposed certification regulation is somewhat more restrictive than the federal mandate because the Virginia Pesticide Control Act, as promulgated by the General Assembly and signed by the Governor, establishes

requirements to ensure that citizens of Virginia and Virginia's environment are protected wherever pesticides are applied. The certification regulation is not more restrictive than required by the Virginia Pesticide Control Act (§ 3.1-249.27 et seq. of the Code of Virginia). Federal law requires that any person using restricted use pesticides (any pesticide classified for restricted use by the Administrator of the United States Environmental Protection Agency) be certified. The certification regulation regulates the application of restricted use pesticides by private pesticide applicators (an applicator who uses or supervises the use of any pesticide which is classified for restricted use for the purposes of producing any agricultural commodity), as well as the application of general use (any pesticide classified as general use by the Administrator of the United States Environmental Protection Agency) and restricted use pesticides by commercial pesticide applicators (an applicator who uses or supervises the use of any pesticide for any purpose, or on any property for compensation) and commercial pesticide applicators-not-for-hire (a commercial pesticide applicator who uses or supervises the use of pesticides as part of his duties only on property owned or leased by him or his employer). In compliance with the 1995 amendments to the Virginia Pesticide Control Act (§§ 3.1-249.27 et seq. of the Code of Virginia), the proposed certification regulation further dictates when commercial pesticide applicators-not-for-hire, using general use pesticides, must be certified.

Small changes have been proposed in some sections of the current certification regulation as the new regulation was proposed, but the most significant changes occur in Persons Exempt from Certification (2 VAC 20-51-60), Categories for Private Applicators (2 VAC 20-51-80), Specific Knowledge Required for Categories of Registered Technicians (2 VAC 20-51-120), Renewal of Certification (2 VAC 20-51-130), and Reciprocal Recertification (2 VAC 20-51-190).

In the section concerning exemptions (2 VAC 20-51-60), supervised forestry applicators, who apply general use pesticides, have been exempted from certification.

Historically, the vast majority of private pesticide applicators have acquired certification in multiple categories. Private pesticide applicators are required to take an examination and attend recertification training courses for each category in which they are certified. Consolidating private pesticide applicator categories in the section titled Categories for Private Applicators (2 VAC 20-51-80), will reduce the regulatory burden on the private pesticide applicator and provide for a more efficient use of state resources. Therefore, the seven private pesticide applicator categories have been consolidated into four categories.

The section titled Specific Knowledge Required for Registered Technicians (2 VAC 20-51-120) has been added to the certification regulation to inform pesticide applicators

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of specific requirements needed for certification as a registered technician.

2 VAC 20-50-120, Renewal of Certification, has been incorporated into Renewal of Certification (2 VAC 20-51-130) to make renewal of certification (training) and certificates (the document) occur at the same time instead of different years. This proposed change also requires payment of the certificate fee on a biennial basis instead of an annual basis. This change should reduce confusion that currently exists with two different renewal dates and was suggested in response to the agency's review of regulations under the Governor's Executive Order 15 (94).

The current certification regulation allows pesticide applicators with current certification in other states to receive reciprocal certification in Virginia. There is no provision in the current certification regulation that allows an individual who has received reciprocal certification to be recertified in Virginia without going through Virginia's entire recertification process. Therefore, Reciprocal Recertification (2 VAC 20-51-190), a section for out-of-state pesticide applicators desiring reciprocal recertification, has been added to the proposed certification regulation. The proposed change to the certification regulation will reduce the regulatory burden on pesticide applicators by allowing reciprocal recertification of pesticide applicators who (i) provide proof of current certification in another state and (ii) satisfy all other requirements for recertification in Virginia. Because the proposed change to the certification regulation allows pesticide applicators from other states to be recertified, it is likely that it will be easier for Virginia pesticide applicators to receive reciprocal recertification in other states.

Issues: The proposed changes incorporated in the proposed certification regulation will not result in any known disadvantages to the general public. The primary advantages that the public will receive from the new regulatory provisions as contained in the proposed certification regulation are the following:

1. A document that is more concise and easy to read and understand. Several sections of the current certification regulation are wordy and repetitive. By eliminating such language, the average person reading the proposed certification regulation should be able to determine what requirements he must meet in order to become a certified pesticide applicator and if he needs to be certified at all.
2. The Virginia Pesticide Control Act requires pesticide applicators to study training material and then take an examination in one or more of the established 21 commercial pesticide applicator categories or seven private pesticide applicator categories (a category is a pesticide application on specific pests or hosts). The proposed certification regulation combines the seven private pesticide applicator categories into four categories. Initial certification may require some private pesticide applicators to study additional information for combined examinations (each category normally requires a separate examination). Combining some categories will eliminate some examinations and will

increase the number of questions on some of the remaining examinations. This would be offset by the reduced recertification burden in subsequent years. Pesticide applicators are required by statute to obtain recertification training every two years for each category in which they are certified. Pesticide applicators having certification in multiple categories (currently greater than 90%) would not have to attend as many retraining classes for four private categories as they would for five, six, or seven categories.

3. 2 VAC 20-50-120 has been merged with 2 VAC 20-51-130 to make renewal of certification (training) and certificates (the document) occur at the same time instead of different years. This proposed section also requires payment of the certificate fee on a biennial basis instead of an annual basis. This proposal should reduce confusion and the paperwork burden that currently exists with two different renewal dates and was suggested in response to the agency's review of regulations under the Governor's Executive Order 15 (94).

4. The proposed regulation will reduce the regulatory burden on commercial pesticide applicators-not-for-hire by eliminating the requirement for "evidence of financial responsibility." While the language in the statute needs to be changed to more clearly state the need for "evidence of financial responsibility," it has been the policy of the Virginia Pesticide Control Board not to require commercial pesticide applicators-not-for-hire to obtain liability insurance. The Virginia Pesticide Control Board felt that the intent for requiring such evidence was related to the use of pesticides commercially by firms applying pesticides to property other than their own or that under their control. Such firms must also obtain a Virginia pesticide business license. The Virginia Pesticide Control Board believes this requirement to be an unnecessary burden that would not offer any additional protection to the public or the environment. Another section in the proposed certification regulation related to commercial pesticide applicators not-for-hire would significantly reduce the scope of those who will be required to be certified as commercial pesticide applicators-not-for-hire. Under the current certification regulation, any applicator applying pesticides to any property defined as "commercial," though not for compensation, are required to be certified. The proposed section would limit this requirement to only four specified classes of activities (those defined in § 3.1-249.53 E of the Code of Virginia).

5. The proposed exemption for certain forestry applicators provides a distinct advantage to the general public as it is anticipated that it will provide for a larger pool of pesticide applicators to apply herbicides according to a narrowly defined application method. The board felt that the current certification regulation caused an abnormal drop in available resources for controlling brush and weeds in certain forested conditions. The changes incorporated into the proposed certification regulation will result in no known

disadvantages to the state. It is anticipated that the proposed certification regulation will provide numerous advantages to the agency and state implementing the proposed provisions. The current certification regulation requires that all commercial pesticide applicators-not-for-hire be certified even though they are exempt from obtaining a pesticide business license.

One of several amendments made by the General Assembly in 1995 to the Virginia Pesticide Control Act significantly reduced the scope of commercial pesticide applicators-not-for-hire requiring certification. Therefore, one section of the proposed certification regulation would limit the requirement for certification of commercial pesticide applicators-not-for-hire to the same activities as provided for under the 1995 amendment to the Act: persons using or supervising the use of general use pesticides on any area open to the general public at educational institutions; health care facilities; day-care facilities; convalescent facilities; any area where open food is stored, processed, or sold at any establishment; any recreational land over five acres in size; and any person otherwise specifically required by the Act to be certified as a commercial applicator (all government employees applying pesticides must be certified as commercial pesticide applicators or registered technicians and any person using restricted use pesticides must be certified).

Impact: The current Rules and Regulations Governing the Pesticide Fees Charged by the Department of Agriculture and Consumer Services under the Virginia Pesticide Control Act, 2 VAC 20-30-10 through 2 VAC 20-30-50 establish the following fees for pesticide applicators: private applicators pay no fee for certification; commercial applicators and commercial applicators-not-for-hire will be assessed an initial fee of \$35 and an annual nonrefundable renewal fee of \$35; registered technicians (an individual who renders services similar to those of a certified commercial pesticide applicator, but who has not completed all the training or time in service requirements to be eligible for examination for certification a commercial pesticide applicator and is limited to application of general use pesticides) are required to pay an initial fee of \$15 for certification and an annual nonrefundable renewal fee of \$15. Individuals, employees, or representatives of all state agencies, municipal corporations, or other governmental agencies certified as commercial pesticide applicators or registered technicians are exempt from any certification fees.

Department of Planning and Budget's Economic Impact Analysis: The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with § 9-6.14:7.1 G of the Administrative Process Act and Executive Order Number 13 (94). Section 9-6.14:7.1 G requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. The

analysis presented below represents DPB's best estimate of these economic effects.

Summary of the proposed regulation. The proposed regulation amends current regulations governing the certification of persons who apply pesticides. Amendments contained in the proposed regulation are in response to recommendations from VDAC's Executive Order 15 (94) report and statutory changes to the Virginia Pesticide Control Act enacted in 1995. The primary amendments are as follows:

1. Language would be added specifying the categories of individuals who must be certified as pesticide applicators;
2. Certain forestry applicators would be added to the list of individuals exempt from certification;
3. The categories for private applicator certification would be reduced from seven (agricultural pest control; nursery/greenhouse pest control; fumigation of soil and agricultural products; chemigation; aerial pesticide application; limited certificate – single product/single use; and single product certification) to four (food, fiber, forestry products, and commodity production; ornamental production; limited certificate – single product/single use; and single product certification);
4. Various general and specific knowledge requirements would be clarified;
5. A section would be added specifying knowledge requirements for Registered Technicians;
6. Certification fees would be paid biennially rather than annually;
7. New language would be added allowing the Pesticide Control Board to "suspend the license or certificate of an individual if a civil penalty issued to the person is not paid within sixty (60) days of issuance..." unless the penalty is challenged;
8. Provisions would be added to the regulation allowing for reciprocal recertification of out-of-state applicators if they maintain certification in their home state and if they satisfy all other requirements for Virginia certification; and
9. Language requiring evidence of financial responsibility would be deleted from the regulation.

Estimated economic impact. Many of the proposed changes to the regulation would simply clarify existing language, incorporate detailed requirements by reference, or eliminate overly prescriptive language. Although these changes will certainly make the regulation easier to read and understand, they will not have significant economic consequences. Other proposed changes would simply reiterate certain statutory provisions. For instance, new language allowing the Pesticide Control Board to "suspend the license or certificate of an individual if a civil penalty issued to the person is not paid within sixty (60) days of issuance..." unless the penalty is challenged merely restates provisions of § 3.1-249.64 of

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the Code of Virginia. Because this requirement is already in effect statutorily, including it in the regulation has no independent economic impact.

Other proposed changes would have economic consequences however. The primary economic effect of three of the proposed changes would be to reduce the compliance costs borne by the regulated community. Adding certain forestry applicators to the list of individuals who are exempt from certification will substantially reduce the regulatory compliance costs faced by these individuals and may increase the resources available for controlling brush and weeds in forested environments in Virginia. Allowing reciprocal recertification of out-of-state applicators will also reduce regulatory compliance costs by freeing applicators from having to undergo the full recertification process in two or more states contemporaneously. Repealing language requiring evidence of financial responsibility will remove an overly burdensome requirement that is more appropriately applied to businesses than individuals and, therefore, an unnecessary component of a program intended to certify individuals.

Alternatively, one of the proposed changes will slightly increase the compliance costs borne by the regulated community. Because a dollar today is always worth more than a dollar next year, the proposed requirement that certification fees be paid biennially rather than annually implies a slight increase in regulatory compliance costs.¹ At the same time, however, going from an annual to a biennial fee collection schedule should reduce the administration costs incurred by the Pesticide Control Board in managing this program.

Finally, one of the proposed changes is likely to have a mixed effect on regulatory compliance costs. One the one hand, the proposed reduction in the number of private applicator certification categories will reduce the number of tests that individuals who currently obtain certification in multiple categories must take, although it should not decrease the amount of knowledge and preparation required. On the other hand, for individuals who currently obtain certification in a single narrow category, the proposed change will not affect the number of tests that they must take to obtain certification, but it will likely increase the amount of knowledge and preparation required. Simultaneously, however, narrowing the number of certification categories, and therefore the number of tests given, should reduce the administration costs incurred by the Pesticide Control Board in managing this program.

Businesses and entities particularly affected. The proposed regulation will particularly affect the approximately 2,000 pesticide businesses, 11,000 private pesticide applicators, 8,000 commercial pesticide applicators, and 5,000 technical

pesticide applicators licensed to operate in Virginia, as well as their customers and the general public.

Localities particularly affected. No localities are particularly affected by the proposed regulation.

Projected impact on employment. The proposed regulation is not anticipated to have a significant effect on employment.

Effects on the use and value of private property. The proposed regulation is not anticipated to have a significant effect on the use and value of private property.

Summary of analysis. The proposed regulation amends current regulations governing the certification of persons who apply pesticides. Amendments contained in the proposed regulation are in response to recommendations from VDAC's Executive Order 15 (94) report and statutory changes to the Virginia Pesticide Control Act enacted in 1995. On net, the primary economic effect of these proposed amendments is likely to be a small reduction in the compliance costs borne by the regulated community.

Agency's Response to the Department of Planning and Budget's Economic Impact Analysis: The Pesticide Control Board has analyzed the economic impact analysis conducted by the Virginia Department of Planning and Budget on Regulations Governing Pesticide Applicator Certification, 2 VAC 20-51-10 through 2 VAC 20-51-210 and is in agreement with such analysis.

Summary:

The present proposed regulation is predicated on a Notice of Intended Regulatory Action published in the Virginia Register of Regulations on May 12, 1997, at page 1910. Although that Notice of Intended Regulatory Action indicated that the agency intended to amend 2 VAC 20-50-10 et seq., Regulations Governing Pesticide Applicator Certification Under Authority of Virginia Pesticide Control Act, the agency has determined, in consultation with the Registrar of Regulations, that it would be simpler to set out the amended language by repealing the entirety of the existing regulation and proposing a new regulation that contains much of the language of the existing regulation, along with the substantive amendments contemplated by the aforementioned Notice of Intended Regulatory Action. The substantive features of the proposed regulation not contained in the existing regulation will clarify requirements for certification of applicators of pesticides in accordance with statutory changes effective July 1, 1995, in §§ 3.1-249.27, 3.1-249.51, and 3.1-249.53 of the Code of Virginia as well as respond to comments from the general public and industry workers in response to the agency's review of regulations under the Governor's Executive Order 15 (94). The certification regulation sets standards of certification for persons specified by statute who use or supervise the use of pesticides in Virginia. Those persons governed by the regulation include, but are not limited to, farmers using restricted use pesticides (any pesticide classified for restricted use by the Administrator of the United

¹ One year from now, a dollar today would be worth one dollar plus the prevailing rate of interest. Therefore, requiring someone to pay two dollars today, rather than a dollar today and a dollar next year, means they must forgo the opportunity to earn interest on the dollar they would have paid next year. That interest constitutes a hidden additional fee that is transferred from the regulant to the Pesticide Control Board.

States Environmental Protection Agency) on their own land and persons who apply pesticides commercially. The certification regulation does not apply to persons who use general use pesticides (any pesticide classified as general use by the Administrator of the United States Environmental Protection Agency) in and around their homes. The certification regulation will help to assure that those persons subject to the certification regulation are adequately trained and competent to use pesticides.

Several changes from the current regulation were made when the proposed regulation was being drafted. A few terms and definitions have been included in the proposed certification regulation where needed for clarification. The proposed certification regulation includes a summary of who must be certified to apply pesticides in Virginia. Lists of the various classifications of pesticide applicators and the procedures for becoming certified are also included.

In the section of the proposed certification regulation concerning exemptions (2 VAC 20-51-60), forestry applicators (commercial pesticide applicators who apply pesticides in forestry environments) using general use herbicides (any herbicide classified as general use by the Administrator of the United States Environmental Protection Agency) for forest vegetation control under the direct onsite supervision of a commercial pesticide applicator (an applicator who uses or supervises the use of any pesticide for any purpose, or on any property for compensation) have been included to those persons who are exempt from certification. The categories for private pesticide applicator (an applicator who uses or supervises the use of any pesticide which is classified for restricted use for the purposes of producing any agricultural commodity) certification have been combined to form four categories rather than the current seven. A section has been included in the proposed certification regulation to provide details about the specific requirements for on-the-job training for registered technicians (an individual who renders services similar to those of a certified commercial pesticide applicator, but who has not completed all the training or time in service requirements to be eligible for examination for certification as a commercial pesticide applicator and is limited to application of general use pesticides).

2 VAC 20-50-120 was combined with 2 VAC 20-51-130 to make renewal of certification (training) and certificates (the document) occur at the same time instead of two different years. This proposed section also requires payment of the certificate fee on a biennial basis instead of an annual basis.

A section entitled Reciprocal Recertification (2 VAC 20-51-190) has been included in the proposed certification regulation to allow individuals who have received reciprocal certification to be recertified in Virginia by maintaining their training in the state where they are certified. Evidence of Financial Responsibility (2 VAC 20-50-220), a section in the current certification

regulation, is not included in the proposed certification regulation because it is not the Pesticide Control Board's intent to require Commercial Applicators-Not-for-Hire (a commercial pesticide applicator who uses or supervises the use of pesticides as part of his duties only on property owned or leased by him or his employer) to provide evidence of financial responsibility. This is a requirement placed on commercial firms that apply pesticides and is adequately covered by Rules and Regulations Governing Licensing of Pesticide Businesses by the Department of Agricultural and Consumer Services Operating Under Authority of the Virginia Pesticide Control Act (2 VAC 20-40-80).

CHAPTER 51.
REGULATIONS GOVERNING PESTICIDE APPLICATOR
CERTIFICATION UNDER AUTHORITY OF VIRGINIA
PESTICIDE CONTROL ACT.

PART I.
DEFINITIONS.

2 VAC 20-51-10. Definitions.

The following words and terms when used in this chapter shall have the following meanings, unless the context clearly indicates otherwise. An asterisk or double asterisk following a definition indicates that the definition has been taken from the Virginia Pesticide Control Act, Article 1 (§ 3.1-249.27 et seq.) or Article 4 (§ 3.1-249.58 et seq.), respectively, of Chapter 14.1 of Title 3.1 of the Code of Virginia.

"Accident" means an unexpected, undesirable event, involving the use or presence of a pesticide, that adversely affects man or the environment.

"Act" means the Virginia Pesticide Control Act.

"Adjuvant" means any substance added to a pesticide formulation to enhance the effect of the active ingredient.

"Agricultural commodity" means any plant or part thereof, or animal, or animal product, produced by a person, including farmers, ranchers, vineyardists, plant propagators, Christmas tree growers, aquaculturists, floriculturists, orchardists, foresters, nurserymen, wood treaters not for hire, or other comparable persons, primarily for sale, consumption, propagation, or other use by man or animals.*

"Board" means the Pesticide Control Board.*

"Board approved training" means a course which includes, at a minimum, study and review of all the material contained in the most current edition used in Virginia of (i) the basic pesticide applicator certification training core manual and (ii) the certification training manual for each specific category pertaining to the type of pesticide application to be done.

"Certificate" means the document issued to a certified applicator or registered technician who has completed all the requirements of Article 3 (§ 3.1-249.51 et seq.) of Chapter 14.1 of Title 3.1 of the Code of Virginia.

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"Certification" or "certified" means the recognition granted by the Pesticide Control Board to an applicator upon satisfactory completion of board approved requirements.*

"Chemigation" means the application of any pesticide through an irrigation system.

"Commercial applicator" means any applicator who has completed the requirements as determined by the board, including appropriate training and time in service, to apply for a certification, and who uses or supervises the use of any pesticide for any purpose or on any property, other than as provided in the definition of private applicator.*

"Commercial applicator not for hire" means any commercial applicator who uses or supervises the use of pesticides as part of his job duties only on property owned or leased by him or his employer. This definition shall also apply to governmental employees who use or supervise the use of pesticides, whether on property owned or leased by them or their employers or not, in the performance of their official duties.

"Commissioner" means the Commissioner of Agriculture and Consumer Services.*

"Department" means the Department of Agriculture and Consumer Services.*

"Drift" means the physical movement of pesticide through the air at the time of pesticide application or soon thereafter from the target site to any nontarget or off-target site. Pesticide drift will not include movement of pesticides to nontarget or off-target sites caused by erosion, migration, volatility, or windblown soil particles that occurs after application unless specifically addressed on the pesticide product label with respect to drift control requirements.

"EPA" means the United States Environmental Protection Agency.

"Fumigant" means any substance which by itself or in combination with any other substance emits or liberates a gas or gases, fumes or vapors, which gas or gases, fumes or vapors, when liberated and used, will destroy vermin, rodents, insects, and other pests, and are usually lethal, poisonous, noxious, or dangerous to human life.

"Fungicide" means any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any fungi or plant disease.*

"Herbicide" means any substance or mixture of substances intended for preventing, destroying, repelling or mitigating any weed.*

"Incident" means a definite and separate occurrence or event, involving the use or presence of a pesticide, that adversely affects man or the environment.

"Insecticide" means any substance or mixture of substances intended for preventing, destroying, repelling or mitigating any insects which may be present in any environment whatsoever.*

"Knowledge" means the possession and comprehension of pertinent facts, together with the ability to use them in dealing with specific problems and situations within the pesticide context.

"Label" means the written, printed, or graphic matter on, or attached to, the pesticide or device, or the immediate container thereof, and the outside container or wrapper of the retail package, if any, of the pesticide or device.*

"Labeling" means all labels and other written, printed, or graphic matter (i) upon the pesticide or device or any of its containers or wrappers, (ii) accompanying the pesticide or device at any time, or (iii) to which reference is made on the label or in literature accompanying the pesticide or device, except when accurate, nonmisleading reference is made to current official publications of the agricultural experiment station, the Virginia Polytechnic Institute and State University, the Department of Agriculture and Consumer Services, the State Board of Health, or similar federal institutions or other official agencies of the Commonwealth or other states when such states are authorized by law to conduct research in the field of pesticides.*

"Licensed" or "licensee" means those businesses which, when meeting the requirements established by the Pesticide Control Board, are issued a license to engage in the sale, storage, distribution, recommend the use, or application of pesticides in Virginia in exchange for compensation.*

"Marine antifoulant paint" means any compound, coating, paint or treatment applied or used for the purpose of controlling freshwater or marine fouling organisms on vessels.**

"Nontarget organism" means any living organism, including but not limited to animals, insects, and plants, other than the one against which the pesticide is intended to be applied.

"Pesticide" means (i) any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any insects, rodents, fungi, bacteria, weeds, or other forms of plant or animal life or viruses, except viruses on or in living man or other animals, which the commissioner shall declare to be a pest; (ii) any substance or mixture of substances intended for use as a plant regulator, defoliant, or desiccant; and (iii) any substance which is intended to become an active ingredient thereof.*

"Pesticide business" means any person engaged in the business of: distributing, applying or recommending the use of a product; or storing, selling, or offering for sale pesticides directly to the user. The term "pesticide business" does not include (i) wood treaters not for hire; (ii) seed treaters not for hire; (iii) operations which produce agricultural products unless the owners or operators of such operations described in clauses (i), (ii), and (iii) are engaged in the business of selling or offering for sale pesticides, or distributing pesticides to persons outside of that agricultural producing operation in connection with commercial transactions; or (iv) businesses exempted by regulations adopted by the board.*

"Private applicator" means an applicator who uses or supervises the use of any pesticide which is classified for restricted use for purposes of producing any agricultural commodity on property owned or rented by him or his employer or, if applied without compensation other than trading of personal services between producers of agricultural commodities, on the property of another person.*

"Reentry interval" as noted on the pesticide label, means the amount of time which must elapse between the time of a pesticide application and the time when it is safe for a person to enter the treated area without label-required personal protective equipment.

"Restricted entry interval" means the time after the end of a pesticide application during which entry into the treated area is restricted.

"Registered technician" means an individual who renders services similar to those of a certified commercial applicator, but who has not completed all the training or time in service requirements to be eligible for examination for certification as a commercial applicator and is limited to application of general use pesticides. However, if he applies restricted use pesticides he shall do so only under the direct supervision of a certified commercial applicator.*

"Repeat violation" means another violation following the first violation of the same provision of the Virginia Pesticide Control Act or the Federal Insecticide, Fungicide, and Rodenticide Act (7 USC § 136 et seq.), or regulations adopted pursuant thereto, committed within a three-year period commencing with the date of official notification of the first violation of the provision.

"Restricted use pesticide" or "pesticide classified for restricted use" means any pesticide classified for restricted use by the administrator of the EPA under the provisions of 1947 (7 USC § 3(d)(1)(c)) of the Federal Insecticide, Fungicide, and Rodenticide Act (as amended).

"Rodenticide" means any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating rodents or any other vertebrate animal which the commissioner shall declare to be a pest.*

"Synergism" means the interaction of two or more active ingredients in a pesticide formulation which produce a total pesticidal effect that is greater than the sum of the ingredients.

"Tributyltin compounds" means any compound having three normal butyl groups attached to a tin atom and with or without an anion such as chloride, fluoride, or oxide.**

"Under the direct supervision of" means the act or process whereby the application of a pesticide is made by a competent person acting under the instructions and control of a certified applicator who is responsible for the actions of that person.*

"Under the direct, on-site supervision of" means the act or process whereby the application of a pesticide is made by a competent person acting under the instructions and control of

a certified applicator who is responsible for the actions of that person and is physically present on the property upon which the pesticides are being applied.

"Unreasonable adverse effects on the environment" means any unreasonable risk to man or the environment, taking into account the economic, social, and environmental costs and benefits of the use of any pesticide.*

"Use" means the employment of a pesticide for the purposes of (i) preventing, destroying, repelling, or mitigating any pest or (ii) regulating plant growth, causing defoliation or desiccation of plants. The term "use" shall include application or mixing, and shall include handling or transfer of a pesticide after the manufacturer's original seal is broken. The term "use" shall also include any act with respect to a particular pesticide which is consistent with the label directions for that particular pesticide.*

"Vessel" means every description of watercraft, other than a seaplane, used or capable of being used as a means of transportation on the water, whether self-propelled or otherwise, and includes barges and tugs.**

PART II. CERTIFICATION OF PESTICIDE APPLICATORS.

2 VAC 20-51-20. General requirements for certification.

A. The following persons must be certified as pesticide applicators:

1. Commercial applicators;
2. Registered technicians; and
3. Private applicators.

B. Commercial applicators not for hire must be certified only when using any pesticide on:

1. Areas open to the general public at educational institutions, health care facilities, and convalescent facilities;
2. Areas where open food is stored, processed, or sold; and
3. Recreational lands over five acres in size.

Employees of local, state, and federal governmental agencies who use or supervise the use of pesticides in the performance of their official duties are also considered commercial applicators not for hire, but they are exempt from any certification fees.

C. All persons desiring certification as pesticide applicators must:

1. Complete board approved training appropriate for the desired classification; and
2. Pass required examination(s).
 - a. Applicants who do not pass the examination on their first attempt are eligible to be reexamined for the

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same category 10 days from the date of the first examination.

b. Applicants who fail on the second or subsequent attempts must wait 30 days from the date of the last examination before being reexamined in the same category.

c. Applicants requesting reexamination must resubmit a completed application to the commissioner or his duly authorized agent and pay the nonrefundable applicator certification fee again.

D. Persons with a history of repeat violations of federal or state pesticide laws or whose certification or business license has been revoked within the two-year period immediately prior to application are not eligible for certification. Persons may appear before the board to show why they should be granted certification.

E. Applicants for certification cannot engage in the activity for which they are requesting certification, unless participating in supervised direct on-site training, until certification has been issued by the commissioner.

F. A commercial or private applicator or registered technician may request a duplicate of the certification card if the applicator's or technician's card has been lost, stolen, mutilated or destroyed. The department shall issue a duplicate card to the applicator or technician upon payment of the costs of duplication.

2 VAC 20-51-30. Specific certification requirements for commercial applicators.

A. In addition to the general requirements listed in 2 VAC 20-51-20, applicants for commercial applicator certification shall meet the following requirements:

1. Certification as a registered technician, as well as employment as a registered technician for at least a year; or
2. One year of education, training, or experience in a pesticide related field which provides the equivalent practical knowledge of proper pesticide use required of a registered technician.

B. The application process for commercial applicators is as follows:

1. The application must be in writing to the commissioner; and
2. The application must contain:
 - a. Name;
 - b. Principal business address in the Commonwealth and elsewhere;
 - c. Qualifications and proposed operations; and
 - d. Classification(s) desired.

Individuals seeking certification as commercial applicators must pay a fee as determined by regulations promulgated by the Pesticide Control Board.

C. Applicants shall, within 90 days after submitting the application and paying the fee, report to an authorized testing location and take the required examinations.

D. Aerial pesticide application applicants must meet the requirements of the Federal Aviation Agency, the Department of Aviation of the Commonwealth, and any other applicable federal or state laws or regulations to operate aerial equipment.

2 VAC 20-51-40. Specific certification requirements for private applicators.

A. Each applicant for a private applicator's certificate shall apply to the commissioner by reporting to an authorized testing location and taking an examination for each certification category, specified in 2 VAC 20-51-80, applicable to his operation. The completed examination or examinations, when forwarded by the test proctor to the department for scoring, shall serve as the application for certification.

B. Persons who cannot read or understand labels will not be certified as private applicators. After consulting the appropriate Virginia Cooperative Extension Service agent, a department pesticide investigator may recommend that the board grant a waiver of the literacy requirement. Persons certified under this waiver shall obtain certification in the categories of limited certificate or single product certification as described in 2 VAC 20-50-80. Recommendations shall be based upon personal knowledge of the individuals' competence to apply restricted use pesticides on their own properties.

2 VAC 20-51-50. Certification procedures for registered technicians.

A. In addition to the general requirements listed in 2 VAC 20-51-20, individuals seeking certification as registered technicians must:

1. Receive on-the-job training in the proper application of pesticides under the direct on-site supervision of a certified commercial applicator for at least 20 hours during the six-month period prior to applying for certification;
2. Complete at least 20 hours of board approved training;
3. Submit an application form with the fee established by regulations of the Pesticide Control Board; and
4. Pass the examination within 90 days after submitting the application and paying the fee.

B. Certified commercial applicators may apply to the commissioner, or his duly authorized agent, in writing, for authorization to proctor the registered technician exam. Authorized proctors may administer and grade the examinations, and shall notify the commissioner, or his duly

authorized agent, of the grade received by the applicant. Failure to safeguard examination materials or follow testing procedures shall result in revocation of authority to proctor the registered technician examination.

2 VAC 20-51-60. Persons exempt from certification.

The following persons are exempt from certification:

1. Persons conducting laboratory research involving restricted use pesticides;
2. Doctors of medicine or doctors of veterinary medicine applying pesticides as drugs or medication during the course of their practice, or to control pests in corpses;
3. Persons who use or supervise the use of nonrestricted use pesticides as part of their duties only on properties owned or leased by their employers, except those persons identified in 2 VAC 20-51-20 B;
4. Persons who provide janitorial or cleaning services using nonrestricted use sanitizers, disinfectants, and germicides;
5. Painters who apply restricted-use marine antifoulant paint under the direct supervision of a commercial applicator. One commercial applicator shall be present for every eight painters;
6. Forestry applicators who apply general use herbicides for forest vegetation control and tree thinning under the direct onsite supervision of a commercial applicator. One commercial applicator shall be present for every eight forestry applicators and be within voice contact of such applicators; and
7. Individuals engaged in the training required for certification while under the direct on-site supervision of a certified applicator.

PART III. CATEGORIES OF PESTICIDE APPLICATOR CERTIFICATION.

2 VAC 20-51-70. Categories for commercial applicator certification.

A. Commercial applicators must be certified in one or more of the following commercial applicator categories or subcategories:

1. Agricultural pest control.
 - a. Agricultural plant pest control. This subcategory is for commercial applicators who will be using or supervising the use of pesticides in production of agricultural crops, or on grasslands, or noncrop agricultural lands.
 - b. Agricultural animal pest control. This subcategory is for commercial applicators who will be using or supervising the use of pesticides on agriculturally related animals.

c. Fumigation of soil and agricultural products. This subcategory is for commercial applicators who will be using or supervising the use of pesticides for soil fumigation in production of an agricultural commodity and the application of pesticides for fumigation of agricultural products. Certification in this subcategory requires concurrent certification in the agricultural plant pest control category.

d. Chemigation. This subcategory is for commercial applicators who will be using or supervising the use of pesticides through an irrigation system. Certification in this subcategory requires concurrent certification in the agricultural plant pest control category.

2. Forest pest control. This category is for commercial applicators who will be using or supervising the use of pesticides in forests, forest nurseries, and seed orchards.

3. Ornamental and turf pest control.

a. Ornamental pest control. This subcategory is for commercial applicators who will be using or supervising the use of pesticides in the maintenance and production of ornamental trees, shrubs, and flowers in and out-of-doors.

b. Turf pest control. This subcategory is for commercial applicators who will be using or supervising the use of pesticides in the production and maintenance of turf, including, but not limited to, turf in golf courses, residential lawns, parks, and cemeteries.

4. Seed treatment (excluding fumigation). This category is for commercial applicators who will be using or supervising the use of pesticides on seeds.

5. Aquatic pest control.

a. Aquatic pest control - general. This subcategory is for commercial applicators who will be using or supervising the use of pesticides in or on standing or running water, for the express purpose of controlling pests (this excludes applicators engaged in public health related activities included in subdivision 8 of this subsection, "public health pest control").

b. Marine antifoulant paints. This subcategory is for commercial applicators who will be using or supervising the use of marine antifoulant paints containing tributyltin or other pesticides.

6. Right-of-way pest control. This category is for commercial applicators who will be using or supervising the use of pesticides in the maintenance of public rights-of-way and in the maintenance of fence lines, structural perimeters or other similar areas.

7. Industrial, institutional, structural, and health-related pest control.

a. General pest control (excluding fumigation). This subcategory is for commercial applicators who will be

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using or supervising the use of pesticides to control household type pests, pests that inhabit or infest structures, stored products, and residential food preparation areas, and pests capable of infesting or contaminating foods and foodstuffs at any stage of processing facilities.

b. Wood-destroying pest control (excluding fumigation). This subcategory is for commercial applicators who will be using or supervising the use of pesticides to control organisms that destroy structures made of wood.

c. Fumigation. This subcategory is for commercial applicators who will be using or supervising the use of fumigant-type pesticides.

d. Vertebrate pest control (excluding structural invaders). This subcategory is for commercial applicators who will be using or supervising the use of pesticides to control vertebrate pest animals.

e. Sewer root pest control. This category is for commercial applicators who use pesticides for sewer line root control.

8. Public health pest control. This category is for commercial applicators who will be using or supervising the use of pesticides for the management and control of pests having medical and public health significance.

9. Regulatory pest control. This category is for federal, state, and local governmental employee applicators who will be using or supervising the use of pesticides in the control of regulated pests.

10. Demonstration and research pest control. This category is for commercial applicators who will be demonstrating the proper use and techniques of application of pesticides (including classroom demonstration), or who will be supervising such demonstration. It also includes applicators who will be conducting pesticide research on greenhouse or field plots.

11. Aerial pesticide application. This category is for commercial applicators who will be using or supervising the use of any pesticide applied by fixed- or rotary-wing aircraft.

12. Wood preservation and wood product treatment. This category is for commercial applicators who will be using or supervising the use of pesticides at treating plants and sawmills for preservative treatment of wood and wood products.

B. A commercial applicator certified in one category and seeking initial certification in one or more additional categories shall meet the certification requirements of each of the new categories in which he desires certification.

2 VAC 20-51-80. Categories for private applicator certification.

Private applicators who apply or supervise the application of restricted use pesticides shall be certified in one or more of the following categories:

1. Food, fiber, forestry products, and commodity production. Includes private applicators who use or supervise the use of restricted use pesticides: in the production of agricultural crops; forestry products; on animals; in places where animals are confined; for the control of vertebrate pests of agricultural crops and livestock animals; in the production of agricultural commodities; and for the fumigation of agricultural products.

2. Ornamental production. Includes private applicators who use or supervise the use of restricted use pesticides to control pests: in tree nurseries; shrub nurseries; ornamental plant nurseries; flower nurseries; in greenhouses used for breeding and growing ornamental plants; and in irrigation systems.

3. Limited certificate--single product/single use. Includes private applicator applicants who are seeking authorization to apply a single restricted use pesticide for a single identified purpose. This category is intended for limited use under special or emergency circumstances as identified by the board on a case-by-case basis.

4. Single product certification. Includes private applicator applicants who are seeking authorization to apply a single identified restricted use product, or related restricted use products with the same active ingredient and with a similar formulation and use. This category is intended for limited use under special or emergency circumstances as identified by the board.

PART IV.

KNOWLEDGE REQUIRED FOR CERTIFICATION OF PESTICIDE APPLICATORS.

2 VAC 20-51-90. Determination of general knowledge and qualifications for private and commercial applicators and registered technicians.

A. Applicants shall be tested on their knowledge and qualifications concerning the use and handling of pesticides. The examination will test the applicants' general knowledge required for all categories, and the additional knowledge specifically required for each category or subcategory in which an applicator desires to be certified.

B. All applicants for certification as private or commercial applicators or registered technicians shall demonstrate practical knowledge of the principles and practices of pest control and the safe use of pesticides. Testing will be based on problems and situations in the following areas, as contained in the current core manual authorized by the board:

1. Federal and Commonwealth of Virginia pesticide laws and regulations;

2. Understanding and interpreting pesticide labels;
3. Handling of accidents and incidents;
4. Proper methods of storing, mixing/loading, transporting, handling, applying, and disposing of pesticides;
5. Safety and health, including proper use of personal protective equipment;
6. Potential adverse effects caused by various climatic or environmental conditions, such as drift from the target area, pesticide run-off, ground water and drinking water contamination, and hazard to endangered species; and
7. Recognizing common pests and general pest biology.

2 VAC 20-51-100. Specific knowledge required for the categories of commercial applicators.

Applicants for commercial applicator certification shall possess the skills and knowledge associated with the chosen category(s) as contained in the most current category specific training manual(s) authorized by the board.

2 VAC 20-51-110. Specific knowledge required for the categories of private applicators.

Specific knowledge required for the categories under private applicator may be found in the most current core manual authorized by the board.

2 VAC 20-51-120. Specific knowledge required for registered technicians.

Specific knowledge required for the registered technician category may be found in the most current core manual authorized by the board. Additionally, the applicant shall obtain the required amount of on-the-job training, as discussed in 2 VAC 20-51-50.

PART V.

RENEWAL OF CERTIFICATION AND CERTIFICATES.

2 VAC 20-51-130. Renewal of certification.

A. Any certified pesticide applicator or registered technician who desires to renew his certification shall do so biennially for the category or subcategory for which he is certified. All applicators must first attend board approved recertification course(s) and submit proof of attendance at such courses, or be reexamined in basic pesticide safety and the categories desired for recertification. In addition to the above requirement, commercial applicators and registered technicians shall also pay the biennial certificate fee and submit an application for renewal before the commissioner will renew their certification.

B. Certified applicators may accumulate up to four years of credit by attending board approved recertification courses.

C. Upon expiration of certification, the applicator's certificate shall become invalid. Any pesticide applicator or registered technician who desires to renew his certification,

but fails to do so within 60 days after its expiration, shall be reexamined.

2 VAC 20-51-140. Reexamination.

Reexamination or special examination will be required by the board of any commercial applicator or registered technician under the following circumstances:

1. Certificate has been suspended or revoked;
2. Significant technological advances have occurred in the category or subcategory for which the applicator or registered technician has been certified, requiring additional knowledge;
3. Additional standards established by the EPA require reexamination;
4. Commercial applicator or registered technician desires certification in an additional category; or
5. Regulations require reexamination.

PART VI.

SUSPENSION AND REVOCATION OF CERTIFICATES.

2 VAC 20-51-150. Summary suspension by commissioner.

A. The commissioner may summarily suspend the certificate of any person without a hearing if he finds there is any substantial danger, or threat of substantial danger, to the public health, safety, or environment which warrants the summary suspension. The commissioner shall schedule a hearing for a date not exceeding five working days after the date of the summary suspension.

B. No person whose certificate has been suspended may engage in the activity for which he had been certified.

2 VAC 20-51-160. Revocation of certificate by the board.

A. Any of the violative acts listed under § 3.1-249.63 C of the Code of Virginia shall constitute grounds for revocation by the board of a certificate.

B. The board shall suspend the license or certificate of an individual if a civil penalty issued to the person is not paid within 60 days of issuance unless the business or person challenges such civil penalty pursuant to subsection F of § 3.1-249.70.

PART VII.

REPORTING OF PESTICIDE ACCIDENTS, INCIDENTS, OR LOSS.

2 VAC 20-51-170. Reporting of pesticide accidents and incidents.

A. Commercial or private applicators or registered technicians shall report any pesticide accident or incident in which they are involved that constitutes a threat to any person, to public health or safety, or to the environment, as a result of the use or presence of any pesticide. The accident or incident shall be reported whether or not a restricted use pesticide is involved.

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B. The applicator shall make the initial notification to the department's Office of Pesticide Services by telephone within a reasonable time, not to exceed 48 hours after the accident or incident occurrence, should circumstances prevent immediate notification. The applicator shall prepare and submit a full written report of the accident or incident to Office of Pesticide Services within 10 days after the initial notification.

C. When the accident or incident involves a discharge or spillage of a pesticide the applicator shall contact the department for guidance to determine whether the discharged or spilled amount is a reportable quantity as set forth in the guidelines established pursuant to the Resource Conservation and Recovery Act (42 USC § 6901 et seq.).

D. The applicator shall make the initial notification to the department's Office of Pesticide Services by telephone within a reasonable time, not to exceed 48 hours after the accident or incident occurrence, should circumstances prevent immediate notification. The applicator shall prepare and submit a written report of the accident or incident to the Office of Pesticide Services within 10 working days after the initial notification. The report shall include the following:

1. Name of individuals involved in accident or incident;
2. Name of pesticide involved;
3. Quantity of pesticide spilled, and containment procedures;
4. Time, date, and location of accident or incident;
5. Mitigating actions taken; and
6. Bodies of water nearby.

PART VIII. RECIPROCAL AGREEMENT.

2 VAC 20-51-180. Issuance of a certificate on a reciprocal basis.

A. A person who is certified by another state or by a federal agency may make written application to the commissioner, or his duly authorized agent, for issuance of a certificate on a reciprocal basis without examination, in accordance with § 3.1-249.57 of the Code of Virginia. Along with his written application, an applicant shall either (i) present an original certificate issued by the state of origin or issued by a federal agency or (ii) request that the state of origin or federal agency send an attested copy of the applicant's certification directly to the commissioner or his duly authorized agent.

The applicant shall either include a document granting power of attorney to a resident of Virginia to receive process or provide proof that the applicant has appointed a registered agent under the laws of the Commonwealth. Reciprocal certification shall not be granted based on reciprocal certification issued in another state.

B. Any certificate issued on a reciprocal basis may be suspended in the same manner and on the same grounds as

a Virginia certificate pursuant to the provisions of Chapter 14.1 (§ 3.1-249.27 et seq.) of Title 3.1 of the Code of Virginia. A certificate issued on a reciprocal basis may also be suspended if the nonresident's original certificate or federal certification is suspended or revoked.

2 VAC 20-51-190. Reciprocal recertification.

Reciprocal recertification shall be granted to out-of-state applicators if they: (i) maintain certification in their home state; (ii) provide proof of current certification to the commissioner prior to the date of Virginia certification expiration; (iii) are currently certified in a state that grants reciprocal recertification to Virginia applicators in like categories; (iv) have met all other Virginia requirements for recertification.

PART IX. RECORDKEEPING.

2 VAC 20-51-200. General recordkeeping requirements for commercial applicators not for hire.

A. Commercial applicators not for hire, being exempt from the pesticide business license requirement of the board and the recordkeeping requirements under this license, are required to maintain pesticide application records as prescribed in this chapter. These records shall be maintained by the commercial applicator not for hire for a period of two years.

B. Records governed by this regulation shall be made available for inspection by the commissioner, or his duly authorized agent, during normal business hours upon written request. Records not readily available shall be submitted to the commissioner within 72 hours, if so requested, in writing.

C. Persons possessing records governed by this part shall fully comply with the requirements contained in 7 USC § 136f and regulations adopted pursuant thereto.

2 VAC 20-51-210. Specific recordkeeping requirements for commercial applicators not for hire.

Commercial applicators not for hire shall maintain a record of each restricted use pesticide applied, containing the following:

1. Name of property owner, address or location, and, as applicable, phone number of the site of application;
2. Name and certification number (or certification number of the supervising certified applicator) of the person making the application;
3. Day, month, and year of application;
4. Type of plants, crops, animals, or sites treated and principle pests to be controlled;
5. Acreage, area, or number of plants or animals treated;
6. Brand name or common product name of pesticide used;

7. EPA registration number;
8. Amounts of pesticide concentrate and amount of diluent used, by weight or volume, in mixture applied; and
9. Type of application equipment used.

NOTICE: The forms used in administering 2 VAC 20-51-10 et seq., Regulations Governing Pesticide Applicator Certification Under Authority of Virginia Pesticide Control Act, are listed below and are published following the listing.

Commercial Pesticide Applicator Certification Application, Form VDACS-07211 (eff. 7/95).

Pesticide Registered Technician Application, Form VDACS-07212 (eff. 7/95).

Application for Reciprocal Pesticide Applicator Certificate, Form VDACS-07210 (eff. 7/95).

Power of Attorney (not dated).

Commercial Pesticide Applicator Certification Examination Request for Retesting, Additional Category, Reinstatement, or Recertification, Form VDACS-07218 (eff. 7/95).

Commercial Pesticide Applicator Certification Exam, Form VDACS-07216 (not dated).

Virginia Registered Technician Certification Examination Answer Sheet (eff. 6/95).

Not-For-Hire Virginia Registered Technician Certification Examination Answer Sheet (eff. 6/95).

**COMMERCIAL PESTICIDE APPLICATOR
CERTIFICATION APPLICATION**

VIRGINIA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES
P. O. Box 526
Richmond, Virginia 23218-0526

In accordance with Section 3-1-249.52 of the Virginia Pesticide Control Act, and regulations adopted thereunder, application is hereby made for CERTIFICATION as a Commercial Applicator in Virginia.
The annual non-refundable certification fee is \$ 35.00. Please make check payable to: **Treasurer of Virginia**. Mail application and check to the above address. Federal, State, and Local Government employees are exempt from fee. Certificates expire on June 30 each year. Certificates must be renewed by June 30 each year to avoid payment of a 20 percent late fee.

Please type or print the following information:

SOCIAL SECURITY NO.: _____ CERTIFICATE CLASS DESIRED:
COMMERCIAL (FOR-HIRE) _____
NOT-FOR-HIRE COMMERCIAL _____
GOVERNMENT EMPLOYEE _____

NAME OF APPLICANT: _____ (Last) _____ (First) _____ (M.I.)

MAILING ADDRESS: _____ (Street or RFD) _____ COUNTY: _____

CITY: _____ STATE: _____ ZIP CODE: _____

EMPLOYED BY (Company or agency you work for): _____

VIRGINIA PESTICIDE BUSINESS LICENSE NO.: _____ BUSINESS PHONE NO.: _____

BUSINESS FEDERAL IDENTIFICATION NUMBER: _____

BUSINESS ADDRESS: _____ (Street or RFD) _____ COUNTY: _____

CITY: _____ STATE: _____ ZIP CODE: _____

Are you a certified Registered Technician in Virginia? yes _____ no _____

If yes, print your certificate number: _____

Give a brief explanation, including dates, of your experience, training, and/or education that is equivalent to one year of Registered Technician work experience: _____

NAME & TITLE OF SUPERVISOR: _____

I certify that I meet the eligibility requirements for commercial certification, explained on the reverse side of this form. I further certify that I have been trained in the specific skills necessary to properly apply pesticides in the performance of my job, and I agree to abide by all laws, rules, and regulations governing pesticide usage in Virginia.

Signature of Applicant: _____ Date: _____
AMOUNT TO REMIT: \$ 35.00
FOR DEPARTMENT USE ONLY
Certificate No. _____ VDACS ACCT. 756-02-02656
Date Kept: _____ VDACS-07211 07/95
Keyed to Database by: _____

(SEE REVERSE SIDE FOR TRAINING/ELIGIBILITY REQUIREMENTS AND INSTRUCTIONS)

**ELIGIBILITY REQUIREMENTS FOR
COMMERCIAL APPLICATOR CERTIFICATION**

Prior to making application for COMMERCIAL APPLICATOR certification, a prospective applicant must first complete Pesticide Control Board-approved training. Board-approved training consists of a course which includes, at a minimum, study and review of all the material contained in the most current edition used in Virginia of the basic pesticide applicator certification training CORE manual, and other category-specific manuals related to the specific type of work to be performed. (These manuals may be obtained for a nominal fee from the Virginia Tech Extension Division Distribution Center, 112 Landsdowne Street, Blacksburg, VA 24060, or phone: (540) 231-6192.)

In order to be eligible to make application for COMMERCIAL APPLICATOR certification, a prospective applicant must first meet at least one of the following requirements:

1. Must currently hold a valid Virginia Registered Technician certification, AND must have worked as a Virginia certified Registered Technician for at least one year, OR;
2. Must have at least one year of education, training, or experience in a pesticide-related field which provides at least the equivalent practical knowledge of proper pesticide use required of a Registered Technician.

All COMMERCIAL APPLICATORS (with the exception of not-for-hire commercial applicators and government employees) must either obtain, or work for a firm that has obtained, a Virginia Pesticide Business License issued by the Virginia Department of Agriculture & Consumer Services.

**INSTRUCTIONS FOR COMPLETING APPLICATION
FOR COMMERCIAL APPLICATOR CERTIFICATION**

1. Return completed application with payment (Government employees are fee exempt).
2. Within 90 days of confirmation of receipt of application, report to an approved testing location to take the written, multiple choice examination(s). The answer sheet will be forwarded to the VDACS Office of Pesticide Services office in Richmond for scoring.
3. Applicants meeting all the requirements and receiving a passing score on the exam will be issued a COMMERCIAL APPLICATOR certificate generally within 10 work days.

**PESTICIDE REGISTERED TECHNICIAN APPLICATION
AND REGULATIONS
VIRGINIA DEPARTMENT OF AGRICULTURE
AND
CONSUMER SERVICES**

P. O. Box 526
Richmond, Virginia 23218-0526

In accordance with Section 3.1-249.52 of the Virginia Pesticide Control Act, and regulations adopted thereunder, application is hereby made for CERTIFICATION as a REGISTERED TECHNICIAN. Registered Technicians may apply for general-use pesticides unsupervised, and restricted-use pesticides only under the direct supervision of a Certified Commercial Applicator.

The annual non-refundable certification fee is \$ 15.00. Please make check payable to: **Treasurer of Virginia**. Mail application and check to the above address. Federal, State, and Local Government employees are exempt from fee. Certificates expire on June 30 each year. Certificates must be renewed by June 30 each year to avoid payment of a 20 percent late fee.

Please type or print the following information:

SOCIAL SECURITY NO.: _____ GOVERNMENT EMPLOYEE: YES ___ NO ___
 NAME OF APPLICANT: _____ (Last) _____ (First) _____ COUNTY: _____ (M.I.)
 MAILING ADDRESS: _____ (Street or RFD) _____
 CITY: _____ STATE: _____ ZIP CODE: _____
 EMPLOYED BY (Company or agency you work for): _____
 PESTICIDE BUSINESS LICENSE NO.: _____ BUSINESS PHONE NO.: _____
 BUSINESS FEDERAL IDENTIFICATION NUMBER: _____
 BUSINESS ADDRESS: _____ (Street or RFD) _____ COUNTY: _____
 CITY: _____ STATE: _____ ZIP CODE: _____
 NAME OF COMMERCIAL APPLICATOR SUPERVISOR: _____ CERT. NUMBER: _____

I certify that I have received at least 40 hours of training in the skills necessary to properly apply pesticides in the performance of my job, and I agree to abide by all the laws, rules and regulations governing pesticide usage.

(Signature of Applicant) _____ (Signature of Supervisor)
 DATE: _____ DATE: _____
 AMOUNT TO REMIT: \$ 15.00
 FOR DEPARTMENT USE ONLY
 Reg Tech Certificate No. _____ VDACS ACCT. 756-02-02437
 Date Keyed: _____ VDACS-07212 07/95
 Keyed to Database by: _____

(SEE REVERSE SIDE FOR TRAINING REQUIREMENTS AND INSTRUCTIONS)

GENERAL TRAINING REQUIREMENTS FOR REGISTERED TECHNICIANS

Prior to making application for Registered Technician certification, a prospective applicant must first receive **at least 40 hours of training in the safe and proper application of pesticides**. The training must include the following:

1. The training must be under the direct, on site supervision of a certified commercial applicator, and
2. Must be received during the six month period previous to making application for Registered Technician certification, and
3. Must include on-the-job (practical) instruction in the safe and proper handling, mixing, and application of the pesticides normally associated with the technician's job duties, and
4. Must include Board-approved training consisting of a course which includes, at the minimum, study and review of all the material contained in the most current edition used in Virginia of the basic pesticide applicator certification training Core manual. (This manual may be obtained from the Virginia Tech Extension Division Distribution Center, 112 Landsdowne Street, Blacksburg, VA 24060 for a nominal fee.)

**INSTRUCTIONS FOR COMPLETING APPLICATION
FOR REGISTERED TECHNICIAN CERTIFICATION**

1. Return completed application with payment.
2. Within 90 days of confirmation of receipt of application, report to an approved testing location to take the written Registered Technician examination, a 50 question multiple choice test. The answer sheet will be forwarded to the VDACS Office of Pesticide Services in Richmond for scoring.
3. Applicants meeting all the requirements and receiving a passing score on the exam will be issued a Registered Technician certificate generally within 10 work days.

APPLICATION FOR RECIPROCAL PESTICIDE APPLICATOR CERTIFICATE

Virginia Department of Agriculture & Consumer Services
P. O. Box 526
Richmond, Virginia 23204

In accordance with Section 3.1-249.57 of the Virginia Pesticide Control Act, application is hereby made for CERTIFICATION as a COMMERCIAL PESTICIDE APPLICATOR under the Reciprocal Agreement between the Commonwealth of Virginia and the State of _____ . Certificates expire on June 30 each year. Certificates must be renewed by June 30 each year to avoid payment of a 20% late fee.

Certificate fee is \$35.00 annually (ALL FEES ARE NON-REFUNDABLE). Make check payable to: **Treasurer of Virginia**. Mail application, check, and other required forms to the above address. FEDERAL, STATE AND LOCAL GOVERNMENT EMPLOYEES ARE EXEMPT FROM PAYING FEE.

Please type or print the following information:

Cat.# _____	Title _____	Cat.# _____	Title _____
<i>(see reverse side for applicator categories)</i>			
CERTIFICATE CLASS DESIRED: (check appropriate class)			
Commercial (For Hire) _____	Not-For-Hire Commercial _____	Gov't Employee _____	
Social Security #: _____	COUNTY: _____		
APPLICANT'S NAME: _____ (Last) _____ (First) _____ (M.I.) _____			
MAILING ADDRESS: _____ (Street or RFD) _____			
CITY: _____	STATE: _____	ZIP CODE: _____	
EMPLOYED BY: _____			
VA. PESTICIDE BUSINESS LICENSE #: _____ BUSINESS PHONE #: _____			
BUSINESS ADDRESS: _____ (Street or RFD) _____ (City, State, Zip)			
NAME AND TITLE OF SUPERVISOR: _____			

I certify that I have been trained in the specific skills necessary to properly apply pesticides in the performance of my job, and I agree to abide by all laws, rules and regulations governing pesticide usage in Virginia.

(Signature of Applicant) _____ Date: _____

AMOUNT TO REMIT: \$ 35.00
VDACS ACCT: 756-02-02656

.....

- * FOR DEPARTMENTAL USE ONLY
- * Comm Appl. # _____
- * Date Of Issue _____
- * Keyed To Database by _____

.....

VDACS-07210
07/95

COMMERCIAL PESTICIDE APPLICATOR CATEGORIES

Category #	Category Title
1-A	Agricultural Plant Pest Control
1-B	Agricultural Animal Pest Control
1-C	Fumigation - Soil/Ag Products
1-D	Chemigation
2	Forest Pest Control
3-A	Ornamental Pest Control-Outdoor
3-B	Ornamental Pest Control-Indoor
3-C	Turf Pest Control
4	Seed Treatment
5-A	Aquatic Pest Control-General
5-B	Marine Antifoulant Paint
6	Right-Of-Way Pest Control
7-A	General Pest Control
7-B	Wood Destroying Pest Control
7-C	Fumigation (Non-Agricultural)
8	Public Health Pest Control
9	Regulatory Pest Control
10	Demonstration and Research Pest Control
11	Aerial Pesticide Application
12	Wood Preservation

COMMERCIAL PESTICIDE APPLICATOR
CERTIFICATION EXAMINATION REQUEST FOR
RETESTING, ADDITIONAL CATEGORY, REINSTATEMENT,
OR RECERTIFICATION
(Do not use for certificate renewal)

VIRGINIA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES
P. O. Box 526
Richmond, Virginia 23218-0526

In accordance with the Virginia Pesticide Control Act and regulations adopted thereunder, application is hereby made to
take one or more written examinations for COMMERCIAL PESTICIDE APPLICATOR.

This application should be submitted by persons who:

- 1. Are currently certified in Virginia as a COMMERCIAL PESTICIDE APPLICATOR, or
2. Have been certified as such but have let their certification expire, or
3. Have previously applied for certification but were unable to complete the testing requirement prior to the end of
the 90-day testing period.

Check reason for requesting examination:

- Retake or complete initial examinations (after 90-day testing period).
Become certified in one or more additional pest control categories.
Reinstate an expired certificate.
Recently in lieu of attending a recertification course.

The non-refundable certification fee is \$ 35.00. Please make check payable to: Treasurer of Virginia.

Mail application and check to the above address. Federal, State, and Local Government employees are exempt from fee.
Certificates expire on June 30 each year. Certificates must be renewed before May 1 each year to avoid payment of a
20 percent late fee.

Please type or print the following information:

I request to be examined in the following categories (refer to reverse side of this page for listing).

Table with 2 columns: CATEGORY NO., DESCRIPTION

CERTIFICATE CLASS DESIRED: COMMERCIAL (FOR-HIRE); NOT-FOR-HIRE COMMERCIAL;
GOVERNMENT EMPLOYEE;

SOCIAL SECURITY NO.:
NAME OF APPLICANT: (Last) (First) (MI)
MAILING ADDRESS: (Street or RFD) COUNTY:
CITY: STATE: ZIP CODE:

EMPLOYED BY (Company or agency you work for): BUSINESS PHONE NO.:
PESTICIDE BUSINESS LICENSE NO.: BUSINESS IDENTIFICATION NUMBER:
BUSINESS ADDRESS: (Street or RFD) COUNTY:
CITY: STATE: ZIP CODE:

I certify that I have completed all required training to properly apply pesticides in the performance of my job, and I agree to
abide by all laws, rules, and regulations governing pesticide usage in Virginia.

Signature of Applicant: Date:
FOR DEPARTMENT USE ONLY
Keyed for authorization on: (date) by (initial)
Keyed for certification on: (date) by (initial)
VDACS-07218 07/95

(SEE REVERSE SIDE FOR COMMERCIAL APPLICATOR CATEGORIES)



VIRGINIA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES
Division of Consumer Protection
Office of Pesticide Services
P O Box 526, Richmond VA 23218

POWER OF ATTORNEY

The following is for use by non-Virginia residents in designating an agent upon whom service of process
(summons to court, etc.) may be had in the event of any suit against such non-resident person. You, as a
non-resident pesticide applicator, may designate either the Secretary of the Commonwealth of Virginia as that
agent or a duly appointed resident agent by completing and filing the following information.

Please complete and file in duplicate. Enclose with this form, a check for \$3.00 made payable to the
SECRETARY OF THE COMMONWEALTH and mail to the above address.

KNOWN ALL MEN BY THESE PRESENTS: THAT
residing at (Applicant's name and address)

does hereby make, constitute, and appoint
of (Name and Address of agent)

does hereby make, constitute and appoint the SECRETARY OF THE COMMONWEALTH OF
VIRGINIA, and his successor or successors in office to be the true and lawful agent and attorney-in-fact upon
whom all legal processes against said non-resident person may be served; and the said person hereby
stipulates and agrees that any lawful process against the said person which is duly served on said agent and
attorney-in-fact shall be of the same legal force and validity as if served on said person.

IN WITNESS WHEREOF the said person has executed and subscribed this Power of Attorney in duplicate
this day of 19

(Applicant's signature) ATTEST: (Witness's Signature)

State of City (or County) of
I, a Notary Public in and for the State

and city or county aforesaid, hereby certify that
(Applicant's Name)
whose names are signed to the foregoing Power of
Attorney, have acknowledged the same before me in my city or county aforesaid. Given under my hand and

official seal this day of 19

Notary Public:
My Commission Expires:

Affix Official Seal

Proposed Regulations

NAME
Last Name: [Bubble grid] First Name: [Bubble grid] M: [Bubble] SUFFIX: [Bubble grid]

CATEGORY
 Core
 1A Agricultural Plant Pest
 1B Agricultural Animal Pest
 1C Agricultural Fumigation
 1D Chemigation
 2 Forest Pest
 3A Ornamental Pest-Outdoor
 3B Ornamental Pest-Indoor
 3C Turf Pest
 4 Seed Treatment
 5A Aquatic Pest-General
 5B Antifoulant Paint
 6 Right-of-Way Pest
 7A General Pest
 7B Wood-Destroying Pest
 7C Fumigation
 7D Vertebrate Pests
 7E Sewer Root Pest Control
 8 Public Health Pests
 9 Regulatory
 10 Demonstration & Research
 11 Aerial Application
 12 Wood Application
 60 Registered Technician
 OT1 Private
 OT2 Other
 OT3 Other

Virginia Department Of Agriculture & Consumer Services Commercial Pesticide Applicator Certification Exam

T	F	T	F	T	F	T	F	T	F
1	[Bubble]	21	[Bubble]	41	[Bubble]	61	[Bubble]	81	[Bubble]
2	[Bubble]	22	[Bubble]	42	[Bubble]	62	[Bubble]	82	[Bubble]
3	[Bubble]	23	[Bubble]	43	[Bubble]	63	[Bubble]	83	[Bubble]
4	[Bubble]	24	[Bubble]	44	[Bubble]	64	[Bubble]	84	[Bubble]
5	[Bubble]	25	[Bubble]	45	[Bubble]	65	[Bubble]	85	[Bubble]
6	[Bubble]	26	[Bubble]	46	[Bubble]	66	[Bubble]	86	[Bubble]
7	[Bubble]	27	[Bubble]	47	[Bubble]	67	[Bubble]	87	[Bubble]
8	[Bubble]	28	[Bubble]	48	[Bubble]	68	[Bubble]	88	[Bubble]
9	[Bubble]	29	[Bubble]	49	[Bubble]	69	[Bubble]	89	[Bubble]
10	[Bubble]	30	[Bubble]	50	[Bubble]	70	[Bubble]	90	[Bubble]
11	[Bubble]	31	[Bubble]	51	[Bubble]	71	[Bubble]	91	[Bubble]
12	[Bubble]	32	[Bubble]	52	[Bubble]	72	[Bubble]	92	[Bubble]
13	[Bubble]	33	[Bubble]	53	[Bubble]	73	[Bubble]	93	[Bubble]
14	[Bubble]	34	[Bubble]	54	[Bubble]	74	[Bubble]	94	[Bubble]
15	[Bubble]	35	[Bubble]	55	[Bubble]	75	[Bubble]	95	[Bubble]
16	[Bubble]	36	[Bubble]	56	[Bubble]	76	[Bubble]	96	[Bubble]
17	[Bubble]	37	[Bubble]	57	[Bubble]	77	[Bubble]	97	[Bubble]
18	[Bubble]	38	[Bubble]	58	[Bubble]	78	[Bubble]	98	[Bubble]
19	[Bubble]	39	[Bubble]	59	[Bubble]	79	[Bubble]	99	[Bubble]
20	[Bubble]	40	[Bubble]	60	[Bubble]	80	[Bubble]	100	[Bubble]


SOCIAL SECURITY NUMBER
[Bubble grid]

DATE
MONTH: [Bubble] DAY: [Bubble] YEAR: [Bubble]

TEST LOCATION CODE
[Bubble grid]

MARKING INSTRUCTIONS
- Use a NO. 2 PENCIL only.
- Darken the oval completely.
- Erase cleanly any marks you wish to change.
- Do not make any stray marks on this form.

PROPER MARK: [Pencil tip] **IMPROPER MARKS:** [Bubbles]



ADDRESS
STREET NUMBER AND NAME: [Bubble grid] CITY: [Bubble grid] STATE: [Bubble] ZIP CODE + 4: [Bubble grid] FIPS CODE: [Bubble] TELEPHONE AREA CODE: [Bubble] NUMBER: [Bubble grid]

PESTICIDE BUSINESS LICENSE NUMBER
[Bubble grid]

CERTIFICATE NUMBER
[Bubble grid]

Initial
 Add-on
 Renewal
 Version 1
 Version 2

IF PESTICIDE BUSINESS LICENSE IS PENDING PRINT BUSINESS NAME IN THIS BLOCK. [Bubble grid]



Category Name REGISTERED TECHNICIAN Score _____
Category No.: 60 Test Version No.: 2 Test Site (Proctor's Certificate #) _____

VIRGINIA REGISTERED TECHNICIAN CERTIFICATION EXAMINATION

ANSWER SHEET

DATE _____ SOCIAL SECURITY NO.: _____ (M.I.)
NAME OF APPLICANT: _____ (Last) _____ (First) _____ COUNTY: _____ (M.I.)
HOME ADDRESS: _____ (Street or RFD) _____
CITY: _____ STATE: _____ ZIP CODE: _____
PHONE NUMBER: _____ GOVT. EMPLOYEE: YES ___ NO ___
EMPLOYED BY (Company or agency you work for): _____
PESTICIDE BUSINESS LICENSE NO.: _____ BUSINESS PHONE NO.: _____

- 1. _____ 43. _____ 64. _____ 85. _____
- 2. _____ 44. _____ 65. _____ 86. _____
- 3. _____ 45. _____ 66. _____ 87. _____
- 4. _____ 46. _____ 67. _____ 88. _____
- 5. _____ 47. _____ 68. _____ 89. _____
- 6. _____ 48. _____ 69. _____ 90. _____
- 7. _____ 49. _____ 70. _____ 91. _____
- 8. _____ 50. _____ 71. _____ 92. _____
- 9. _____ 51. _____ 72. _____ 93. _____
- 10. _____ 52. _____ 73. _____ 94. _____
- 11. _____ 53. _____ 74. _____ 95. _____
- 12. _____ 54. _____ 75. _____ 96. _____
- 13. _____ 55. _____ 76. _____ 97. _____
- 14. _____ 56. _____ 77. _____ 98. _____
- 15. _____ 57. _____ 78. _____ 99. _____
- 16. _____ 58. _____ 79. _____ 100. _____
- 17. _____ 59. _____ 80. _____
- 18. _____ 60. _____ 81. _____
- 19. _____ 61. _____ 82. _____
- 20. _____ 62. _____ 83. _____
- 21. _____ 63. _____ 84. _____ (6-20-95)

REGISTERED TECHNICIAN APPLICATOR CERTIFICATE

This certifies that (full name) _____ has taken the Registered Technician Examination and achieved a passing score on (date) _____. I further certify that this technician is supervised by a certified commercial applicator, 2.) works for a business with a valid Virginia Pesticide Business License and 3.) that the business has a valid liability insurance policy.

Certified by: Signature of Proctor _____ Signature of Registered Technician _____

Date of Issue: _____

Category Name REGISTERED TECHNICIAN Score _____
Category No.: 60 Test Version No.: 2 Proctor's Certificate # _____

VIRGINIA REGISTERED TECHNICIAN CERTIFICATION EXAMINATION

ANSWER SHEET

DATE _____ SOCIAL SECURITY NO.: _____ (M.I.)
NAME OF APPLICANT: _____ (Last) _____ (First) _____ COUNTY: _____ (M.I.)
HOME ADDRESS: _____ (Street or RFD) _____
CITY: _____ STATE: _____ ZIP CODE: _____
PHONE NUMBER: _____ GOVT. EMPLOYEE: YES ___ NO ___
EMPLOYED BY (Company or agency you work for): _____
PESTICIDE BUSINESS LICENSE NO.: _____ BUSINESS PHONE NO.: _____

- 1. _____ 43. _____ 64. _____ 85. _____
- 2. _____ 44. _____ 65. _____ 86. _____
- 3. _____ 45. _____ 66. _____ 87. _____
- 4. _____ 46. _____ 67. _____ 88. _____
- 5. _____ 47. _____ 68. _____ 89. _____
- 6. _____ 48. _____ 69. _____ 90. _____
- 7. _____ 49. _____ 70. _____ 91. _____
- 8. _____ 50. _____ 71. _____ 92. _____
- 9. _____ 51. _____ 72. _____ 93. _____
- 10. _____ 52. _____ 73. _____ 94. _____
- 11. _____ 53. _____ 74. _____ 95. _____
- 12. _____ 54. _____ 75. _____ 96. _____
- 13. _____ 55. _____ 76. _____ 97. _____
- 14. _____ 56. _____ 77. _____ 98. _____
- 15. _____ 57. _____ 78. _____ 99. _____
- 16. _____ 58. _____ 79. _____ 100. _____
- 17. _____ 59. _____ 80. _____
- 18. _____ 60. _____ 81. _____
- 19. _____ 61. _____ 82. _____
- 20. _____ 62. _____ 83. _____
- 21. _____ 63. _____ 84. _____ (6/20/95)

REGISTERED TECHNICIAN APPLICATOR CERTIFICATE

This certifies that (full name) _____ has taken the Registered Technician Examination and achieved a passing score on (date) _____. I further certify that this technician is supervised by a certified commercial applicator.

Certified by: Signature of Proctor _____ Signature of Registered Technician _____

Date of Issue: _____

Proposed Regulations

TITLE 18. PROFESSIONAL AND OCCUPATIONAL LICENSING

BOARD FOR BRANCH PILOTS

Title of Regulation: 18 VAC 45-20-10 et seq. Board for Branch Pilots Regulations (amending 18 VAC 45-20-10 and 18 VAC 45-20-20).

Statutory Authority: §§ 54.1-902 and 54.1-907 of the Code of Virginia.

Public Hearing Date: October 29, 1998 - 9:30 a.m.

Public comments may be submitted until October 30, 1998.

(See Calendar of Events section for additional information)

Basis: Sections 54.1-902 and 54.1-907 of the Code of Virginia require the Board for Branch Pilots to develop and administer a regulatory system to regulate individuals and businesses in Virginia who pilot ships in Virginia waters. As part of this regulatory program, the board must establish fees to ensure that the fees collected are sufficient to cover the expenses of the program (§ 54.1-113 of the Code of Virginia).

Purpose: The Board for Branch Pilots is revising the fees contained in its existing regulations so the fees collected will be sufficient to cover the expenses of the program. The fee increases will enable the program to continue to function in order to protect the public.

Substance: The proposed changes raise the fees contained in the Board for Branch Pilots regulations to bring the fees of the program into compliance with § 54.1-113 of the Code of Virginia.

Issues: The Board for Branch Pilots considered the specific needs of the regulated individuals in this state along with the protection of the public who utilize these services. The advantage of these changes is that the regulatory program will be able to continue to function in order to protect the public. The disadvantage is that these changes will increase the cost of the license to the regulated population; however, the impact of these changes on the income of the regulated population should be minimal based on their level of income.

Economic Impact Analysis: The board's regulations apply to approximately 45 individuals who are either licensed or in the apprenticeship program to become licensed. There are no other localities, businesses, or other entities particularly affected by the proposed revisions. The proposed revisions are not expected to affect employment in the regulated profession, nor are they expected to impact the use and value of private property. The changes are expected to increase the costs of the regulated program to the regulated individuals to comply with the revisions. However, as their average annual income is well over \$100,000, this increase should have a nominal effect. The only costs, other than the fee increases associated with revising the existing regulations, is the cost of printing and mailing the revised

regulations to all existing regulants; estimated to be approximately \$74 (printing costs = 150 X \$0.33 = \$49.50; mailing costs = 45 X \$0.55 = \$24.75).

Department of Planning and Budget's Economic Impact Analysis: The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with § 9-6.14:7.1 G of the Administrative Process Act and Executive Order Number 13 (94). Section 9-6.14:7.1 G requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. The analysis presented below represents DPB's best estimate of these economic effects.

Summary of the proposed regulation. The proposed regulation would increase the fees paid by branch pilots for licensure by the Board of Branch Pilots. The purpose of these fee increases is to bring the board into compliance with § 54.1-113 of the Code of Virginia, as interpreted by the board. Section 54.1-113 requires all regulatory boards under DPOR to revise their fee schedules if, after the close of any biennium, there is more than a 10% difference between revenues and expenses.

The proposed regulation would make the following fee changes:

1. The current \$240 fees for initial licensure of Limited Branch Pilots and Full Branch Pilots would be increased 15% to \$275; and
2. The current \$225 fees for license renewal of Limited Branch Pilots and Full Branch Pilots would be increased by 67% to \$375.

Estimated economic impact. The primary consequence of the proposed fee increases will be to increase the regulatory compliance costs borne by the regulated community. Under the current fee structure, the board projects a deficit of approximately \$28,100 for the 1998-2000 biennium and \$24,700 for the 2000-2002 biennium. The proposed fee increases would decrease these deficits to approximately \$16,500 in the 1998-2000 biennium and \$1,500 in the 2000-2002 biennium. This will entail a 59% increase in regulatory compliance costs, however.

It is important to note that \$7,340 of the \$28,100 deficit projected for the 1998-2000 biennium is a carryover from the 1992-1994 biennium and \$5,656 is a carryover from the 1994-1996 biennium. This means that the board has been in violation of § 54.1-113 at least since the close of the 1992-94 biennium. Because the board is raising fees by an amount sufficient to offset the cumulative 1992-1998 deficit, it will almost certainly experience a significant surplus during the 2002-2004 biennium. Based on an extrapolation of DPOR's current projections, the board will experience a surplus in

2002-2004 of roughly \$13,500, or 78% of operating costs. This means that sometime near the close of the 2002-2004 biennium the board will be required decrease fees by around 42% to bring it back into compliance with § 54.1-113.

Businesses and entities particularly affected. The proposed regulation particularly affects the approximately 45 individuals licensed as limited or full branch pilots by the Board for Branch Pilots.

Localities particularly affected. No localities are particularly affected by this proposed regulation.

Projected impact on employment. The proposed regulation is not anticipated to have a significant effect on employment.

Affects on the use and value of private property. The proposed regulation is not anticipated to have a significant effect on the use and value of private property.

Summary of analysis. The proposed regulation would increase the fees paid by branch pilots for licensure by the Board of Branch Pilots. The purpose of these fee increases is to bring the board into compliance with § 54.1-113 of the Code of Virginia, as interpreted by the board. The primary effect of the proposed fee increases will be to increase the regulatory compliance costs borne by the regulated community by 59%.

Agency's Response to the Department of Planning and Budget's Economic Impact Analysis: Concur.

Summary:

The proposed changes raise the initial licensure and license renewal fees contained in the Board for Branch Pilots regulations to bring the fees of the program into compliance with § 54.1-113 of the Code of Virginia.

CHAPTER 20.

BOARD FOR BRANCH PILOTS REGULATIONS.

18 VAC 45-20-10. Initial licensing.

A. Any person wishing to obtain a license as a limited branch pilot shall meet the following qualifications:

1. Satisfactorily complete a two year apprenticeship in a program approved by the board;
2. Satisfactorily complete a comprehensive examination which shall be approved by the board and administered by the examining committee of the board. The examination shall be in two parts:
 - a. Written; and
 - b. Practical oral examination.
3. Comply with the board's regulations and Chapter 9 (§ 54.1-900 et seq.) of Title 54.1 of the Code of Virginia;
4. Furnish to the board evidence of a satisfactory physical examination conducted within the immediately preceding 60 days. This examination must include a scientifically recognized test which analyzes an individual's breath, blood, urine, saliva, bodily fluids, or

tissues for evidence of dangerous drugs or alcohol use; and

5. Pay a licensing fee of ~~\$240~~ \$275. Each check or money order shall be made payable to the Treasurer of Virginia. All fees are nonrefundable.

B. Any limited branch pilot wishing to obtain a full branch pilot license shall meet the following qualifications:

1. Satisfactorily complete a five year apprenticeship in a program approved by the board;
2. Hold a limited branch pilot license in good standing;
3. Pass a practical examination approved by the board and administered by the board's examining committee;
4. Possess a valid unlimited Federal Inland Masters License with First Class Pilot endorsement issued by the United States Coast Guard for the same waters as his branch. Any such federal license acquired after January 1994 shall include an Automated Radar Plotting Aids (ARPA) radar certificate. A copy of this license shall be filed with the clerk of the board immediately;
5. Furnish to the board evidence of a satisfactory physical examination conducted within the immediately preceding 60 days. This examination must include a scientifically recognized test which analyzes an individual's breath, blood, urine, saliva, bodily fluids, or tissues for evidence of dangerous drug or alcohol use;
6. Qualify in accordance with § 54.1-905 of the Code of Virginia; and
7. Pay a licensing fee of ~~\$240~~ \$275. Each check or money order is to be made payable to the Treasurer of Virginia. All fees are nonrefundable.

18 VAC 45-20-20. License renewal.

A. Each pilot seeking renewal of his license shall complete a renewal application, comply with the ~~following regulations~~ *provisions of this section*, and appear before the board or its License Renewal Committee which shall determine if he possesses the qualifications to be renewed.

~~A-~~ B. Any limited branch pilot seeking to renew his license shall meet the following standards:

1. Furnish to the board evidence of a satisfactory physical examination conducted within the immediately preceding 60 days. This examination must include a scientifically recognized test which analyzes an individual's breath, blood, urine, saliva, bodily fluids, or tissues for evidence of dangerous drug or alcohol use;
2. Furnish to the board evidence that he has transited the waters embraced by his license during the preceding 12 months;
3. After three years of licensure as a limited branch pilot, possess a valid First Class Pilot License issued by the United States Coast Guard for the same waters as his limited branch. Any such federal license acquired

Proposed Regulations

after January 1994 shall include an Automated Radar Plotting Aids (ARPA) radar certificate; and

4. Pay a license renewal fee of ~~\$225~~ \$375. Each check or money order is to be made payable to the Treasurer of Virginia. All fees are nonrefundable.

~~B.~~ C. Any full branch pilot seeking to renew his license shall meet the following standards:

1. Possess a valid unlimited Federal Inland Masters License with First Class Pilot endorsement issued by the United States Coast Guard for the same waters as his branch; any such federal license renewed or acquired after January 1994 shall include an Automated Radar Plotting Aids (ARPA) radar certificate;

2. Furnish to the board evidence of a satisfactory physical examination conducted within the immediately preceding 60 days. This examination must include a scientifically recognized test which analyzes an individual's breath, blood, urine, saliva, bodily fluids, or tissues for evidence of dangerous drug or alcohol use;

3. Furnish to the board evidence that he has transited the waters embraced by his license during the preceding 12 months, and that he has piloted 12 or more ships during that time, at least six trips as a pilot within the first six months of the calendar year and six trips as a pilot within the last six months of the calendar year;

4. Upon the showing of good cause, the board may waive the requirements of subdivision 3 ~~above~~ of this subsection when in its judgment the pilot is otherwise qualified;

5. Qualify in accordance with § 54.1-906 of the Code of Virginia; and

6. Pay a license renewal fee of ~~\$225~~ \$375. Each check or money order is to be made payable to the Treasurer of Virginia. All fees are nonrefundable.

NOTICE: The forms used in administering 18 VAC 45-20-10 et seq., Board for Branch Pilots Regulations, are listed below and are published following the listing.

Branch Pilot License Renewal Application Form (eff. 8/98).

Limited Branch Pilot License Renewal Application Form (eff. 8/98).

BOARD FOR BRANCH PILOTS

LIMITED BRANCH PILOT LICENSE RENEWAL APPLICATION FORM

This form must be completed by each Branch Pilot and provided to the Board before renewal of license may be considered. Bring the completed renewal application and other required documentation to your appointment with the Renewal Committee.

Name Last First Middle Home Address

I hereby apply to the Board for Branch Pilots for renewal of my Branch Pilot License.

In support of this application I have attached the following:

A copy of my current Unlimited Federal Inland Masters License with First Class Pilot endorsement issued by the United States Coast Guard for the same waters as my branch. NOTE: This is only required after 3 years of licensure as a Limited Branch Pilot.

A statement signed by a physician that I have satisfactorily completed a physical examination within the immediately preceding 60 days including the test for all controlled substances or alcohol as required by regulation 2.1.A.1.

I hereby certify that I HAVE/HAVE NOT transited the waters embraced by my Branch Pilot License during the preceding 12 month period.

DATE SIGNATURE OF APPLICANT

I hereby certify that all of the information provided by me as a part of this application is true and complete to the best of my knowledge and belief.

DATE SIGNATURE OF APPLICANT

AFFIDAVIT

STATE OF City/County of

Subscribed and sworn to before me, the undersigned Notary Public in and for the State and City or County aforesaid this day of 19

My commission expires

Affix Official Seal Here

NOTARY PUBLIC

I, the Chairman of the Board for Branch Pilots License Renewal Committee, state that the above named individual has personally appeared before my Committee which, being duly convened with a quorum present, and, after careful examination of the evidence of qualification for licensure presented, recommends to the Board for Branch Pilots that the above named individual be APPROVED/DISAPPROVED for renewal of his license for the upcoming 12 month period.

DATE SIGNATURE OF CHAIRMAN 8/18

BOARD FOR BRANCH PILOTS

BRANCH PILOT LICENSE RENEWAL APPLICATION FORM

This form must be completed by each Branch Pilot and provided to the Board before renewal of license may be considered. Bring the completed renewal application and other required documentation to your appointment with the Renewal Committee.

Name Last First Middle Home Address

I hereby apply to the Board for Branch Pilots for renewal of my Branch Pilot License.

In support of this application I have attached the following:

A copy of my current Unlimited Federal Inland Masters License with First Class Pilot endorsement issued by the United States Coast Guard for the same waters as my branch.

A statement signed by a physician that I have satisfactorily completed a physical examination within the immediately preceding 60 days including the test for all controlled substances or alcohol as required by regulation 2.1.B.2.

I hereby certify that I HAVE/HAVE NOT transited the waters embraced by my Branch Pilot License during the preceding 12 month period.

DATE SIGNATURE OF APPLICANT

I hereby certify that all of the information provided by me as a part of this application is true and complete to the best of my knowledge and belief.

DATE SIGNATURE OF APPLICANT

AFFIDAVIT

STATE OF City/County of

Subscribed and sworn to before me, the undersigned Notary Public in and for the State and City or County aforesaid this day of 19

My commission expires

Affix Official Seal Here

NOTARY PUBLIC

I, the Chairman of the Board for Branch Pilots License Renewal Committee, state that the above named individual has personally appeared before my Committee which, being duly convened with a quorum present, and, after careful examination of the evidence of qualification for licensure presented, recommends to the Board for Branch Pilots that the above named individual be APPROVED/DISAPPROVED for renewal of his license for the upcoming 12 month period.

DATE SIGNATURE OF CHAIRMAN 8/18

VA.R. Doc. No. R97-534; Filed August 7, 1998, 8:24 a.m.

Proposed Regulations

TITLE 20. PUBLIC UTILITIES AND TELECOMMUNICATIONS

STATE CORPORATION COMMISSION

REGISTRAR'S NOTICE: The State Corporation Commission is exempt from the Administrative Process Act in accordance with § 9-6.14:4.1 A 2 of the Code of Virginia, which exempts courts, any agency of the Supreme Court, and any agency which by the Constitution is expressly granted any of the powers of a court of record.

The distribution lists that are referenced as Appendices A and B in the following order are not being published. However, these lists are available for public inspection at the State Corporation Commission, Document Control Center, Tyler Building, 1st Floor, 1300 East Main Street, Richmond, Virginia 23219, from 8:15 a.m. to 5 p.m., Monday through Friday; or may be viewed at the Virginia Code Commission, General Assembly Building, 2nd Floor, 910 Capitol Street, Richmond, Virginia 23219, during regular office hours.

Title of Regulation: 20 VAC 5-400-10 et seq. Telecommunications (adding 20 VAC 5-400-151).

Statutory Authority: § 12.1-13 of the Code of Virginia.

Public Hearing Date: NA -- Public comments may be submitted until September 4, 1998.

AT RICHMOND, AUGUST 3, 1998

COMMONWEALTH OF VIRGINIA

At the relation of the

STATE CORPORATION COMMISSION

CASE NO. PUC970113

Ex Parte: Investigation of the termination of local exchange service for failure to pay for long distance services

ORDER FOR NOTICE AND INVITING COMMENTS

By order entered July 23, 1997, the Commission invited comments concerning its investigation of the termination of local exchange service for failure to pay for long distance services. Comments were filed by nine parties on September 5, 1997.

On September 26, 1997, the Commission Staff submitted a report that included recommendations and suggestions for further action. The Commission invited comments in response to the Staff Report. Responses were submitted on January 16, 1998, by Hyperion Telecommunications of Virginia, Inc., MCI Telecommunications Corporation, and Bell Atlantic-Virginia, Inc. ("BA-VA").

Having considered the parties' comments, the Staff Report, and the replies to the Staff Report, the Commission has tentatively concluded there should be no disconnection of local service for failure to pay for long distance services. Accordingly, we have proposed Rules Concerning Disconnection of Local Exchange Telephone Service, and

invite comments concerning the proposed rules, attached hereto as Attachment A.

IT IS THEREFORE ORDERED THAT:

(1) Comments concerning the proposed rules attached hereto as Attachment A may be filed on or before September 4, 1998.

(2) The proposed rules contained in Attachment A shall be appropriately published in the Virginia Register.

(3) This matter is continued generally.

AN ATTESTED COPY hereof shall be sent by the Clerk of the Commission to each local exchange company subject to the jurisdiction of the Commission as set out in Appendix A attached hereto; each interexchange carrier certificated in Virginia as set out in Appendix B attached hereto; to the Office of Attorney General, Division of Consumer Counsel, 900 East Main Street, Richmond, Virginia 23219; to Andrew D. Lipman, Esquire, and Jean L. Kiddoo, Esquire, Swidler & Berlin, 3000 K Street, N.W., Washington, D.C. 20007-5116; Operator Service Providers, Mr. Paul Gamberg, 6611 Valjean Avenue, #201, Van Nuys, California 91406; the Commission's Office of General Counsel and the Commission's Divisions of Communications, Public Utility Accounting, and Economics and Finance.

20 VAC 5-400-151. Disconnection of local exchange telephone service.

A. A Local Exchange Company ("LEC") may terminate local exchange service only for a customer's failure to pay for services billed on behalf of the LEC when the services are in tariffs on file with the Virginia State Corporation Commission and there is no bona fide dispute concerning such services. After intraLATA dialing parity has been implemented, a LEC may not terminate local exchange service for a customer's failure to pay for the LEC's intraLATA toll services.

B. LECs shall indicate on customers' monthly bills those items for which service may not be terminated for failure to pay and shall include an explanation, by footnote or otherwise, that local telephone service may not be terminated for failure to pay for those services. The form of this notification must receive prior approval from the commission's Division of Communications.

C. LEC White Pages telephone directories published after the date of the order adopting this section shall include an explanation of the services for which local exchange service may be terminated for failure to pay.

D. LECs may not block a customer's access to all Inter Exchange Carriers (IXCs) for that customer's failure to pay toll charges of an IXC.

E. Customer payments that are less than the total bill balance shall be credited first to basic local exchange access and usage, with any remainder credited next to any other LEC noncompetitive tariffed services, and finally to any other charges on the bill.

VA.R. Doc. No. R98-306; Filed August 5, 1998, 12:25 p.m.

◆ _____ ◆

FINAL REGULATIONS

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 change from the proposed text of the regulation.

TITLE 1. ADMINISTRATION

DEPARTMENT OF THE TREASURY

REGISTRAR'S NOTICE: The Department of the Treasury has claimed an exemption from the Administrative Process Act in accordance with § 9-6.14:4.1 C 4 (a) of the Code of Virginia, which excludes regulations that are necessary to conform to changes in Virginia statutory law or the appropriation act where no agency discretion is involved. The Department of the Treasury will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision.

Title of Regulation: **1 VAC 75-30-10 et seq. Regulations Governing Escheats (amending 1 VAC 75-30-60).**

Statutory Authority: § 55-200.1 of the Code of Virginia.

Effective Date: September 30, 1998.

Summary:

The 1998 Session of the General Assembly passed amendments (House Bill 835) to the Escheats Generally Statute, § 55-168 et seq. of the Code of Virginia. The purpose of these amendments was to make the escheator bonding requirements consistent with other amendments passed during the 1996 Session of the General Assembly. Part of the 1996 legislation changed escheator appointments from one for each locality to one for each judicial circuit. Similarly, the 1998 amendments require that an escheator initially obtain a bond only for the judicial circuit in which he resides (not in each locality as previously required). If escheat activity occurs in another locality within the appointed circuit, the escheator would then have to obtain an escheator bond in that locality within 10 days following the date the property escheated at inquest. The description of bonding requirements is being amended to reflect this change.

Agency Contact: Copies of the regulation may be obtained from J. Braxton Powell, Department of the Treasury, P.O. Box 1879, Richmond, VA 23218-1879, telephone (804) 225-3131.

1 VAC 75-30-60. Required bond for escheators.

Each escheator shall give a "~~Personal Recognizance Bond~~" before the circuit court of the county or the city for which the escheator is appointed in the amount of \$3,000 within 60 days of confirmation of the appointment and provide the agency with a copy of the bond for the judicial circuit for which he is appointed in the circuit court for the locality in which he resides. *The bond in the amount of*

\$3,000 must be obtained within 60 days of confirmation of the appointment and a copy of such bond should be provided to the Treasurer of Virginia. This bond shall remain in force as long as the escheator shall continue in office until removed or until a successor is duly appointed and qualified.

If property in another locality within the judicial circuit escheats to the Commonwealth at the inquest hearing, the escheator shall give additional bond pursuant to the requirements in § 55-169 of the Code of Virginia.

VA.R. Doc. No. R98-303; Filed July 31, 1998, 11:18 a.m.

TITLE 4. CONSERVATION AND NATURAL RESOURCES

MARINE RESOURCES COMMISSION

REGISTRAR'S NOTICE: The Marine Resources Commission is exempt from the Administrative Process Act in accordance with § 9-6.14:4.1 F of the Code of Virginia; however, the commission is required to publish the full text of final regulations.

Title of Regulation: **4 VAC 20-890-10 et seq. Pertaining to Channeled Whelk (amending 4 VAC 20-890-30).**

Statutory Authority: § 28.2-201 of the Code of Virginia.

Effective Date: August 5, 1998.

Summary:

The amendments establish a channeled whelk possession allowance for undersize (less than 5½ inches in length) channeled whelk contained by bags or barrels. Currently, this allowance only applies to bushel containers.

Agency Contact: Deborah R. Cawthon, Regulatory Coordinator, Marine Resources Commission, P.O. Box 756, Newport News, VA 23607, telephone (757) 247-2248.

4 VAC 20-890-30. Minimum size limits.

A. It shall be unlawful for any person to possess more than 10 channeled whelk, per bushel or bag, which measure less than 5½ inches in length.

B. *It shall be unlawful for any person to possess more than 30 channeled whelk, per barrel, which measure less than 5½ inches in length.*

C. Those undersized whelk in excess of the allowance level, as described in subsections A and B of this section, shall be returned immediately to the water alive.

Final Regulations

VA.R. Doc. No. R98-311; Filed August 5, 1998, 1:57 p.m.

◆ _____ ◆

TITLE 12. HEALTH

DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

Withdrawal

Title of Regulation: **Specialized Care Services.**

12 VAC 30-20-10 et seq. Administration of Medical Assistance Services (amending 12 VAC 30-20-170).

12 VAC 30-50-10 et seq. Amount, Duration and Scope of Medical and Remedial Care Services (amending 12 VAC 30-50-160).

12 VAC 30-60-10 et seq. Standards Established and Methods Used to Assure High Quality Care (amending 12 VAC 30-60-40, 12 VAC 30-60-320, and 12 VAC 30-60-340).

12 VAC 30-90-10 et seq. Methods and Standards for Establishing Payment Rates for Long-Term Care (amending 12 VAC 30-90-264 and 12 VAC 30-90-290).

The Department of Medical Assistance Services has withdrawn the final amendments relating to Specialized Care Services which were to become effective August 5, 1998. The final amendments appeared in 14:21 VA.R. 2889-2903 July 6, 1998.

VA.R. Doc. No. R97-219; Filed August 4, 1998, 7:24 a.m.

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<p>REGISTRAR'S NOTICE: The Department of Medical Assistance Services has claimed an exemption from the Administrative Process Act in accordance with § 9-6.14:4.1 C 4 (a) of the Code of Virginia, which excludes regulations that are necessary to conform to changes in Virginia statutory law or the appropriation act where no agency discretion is involved. The Department of Medical Assistance Services will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision.</p>
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Title of Regulation: **12 VAC 30-50-10 et seq. Amount, Duration, and Scope of Medical and Remedial Care Services (amending 12 VAC 30-50-100 and 12 VAC 30-50-105).**

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

Effective Date: September 30, 1998.

Summary:

These amendments incorporate into the state plan specific lengths of stay for women who have had mastectomy surgery. This action complies with the

requirements of Chapter 631 (HB 542) of the 1998 Acts of the General Assembly.

Agency Contact: Copies of the regulation may be obtained from Victoria P. Simmons, Regulatory Coordinator, Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, VA 23219, telephone (804) 371-8850.

12 VAC 30-50-100. Inpatient hospital services provided at general acute care hospitals and freestanding psychiatric hospitals; enrolled providers.

A. Preauthorization of all inpatient hospital services will be performed. This applies to both general acute care hospitals and freestanding psychiatric hospitals. Nonauthorized inpatient services will not be covered or reimbursed by the Department of Medical Assistance Services (DMAS). Preauthorization shall be based on criteria specified by DMAS. In conjunction with preauthorization, an appropriate length of stay will be assigned using the HCIA, Inc., Length of Stay by Diagnosis and Operation, Southern Region, 1996, as guidelines.

1. Admission review.

a. Planned/scheduled admissions. Review shall be done prior to admission to determine that inpatient hospitalization is medically justified. An initial length of stay shall be assigned at the time of this review. Adverse authorization decisions shall have available a reconsideration process as set out in subdivision 4 of this subsection.

b. Unplanned/urgent admissions. Review shall be performed within one working day to determine that inpatient hospitalization is medically justified. An initial length of stay shall be assigned for those admissions which have been determined to be appropriate. Adverse authorization decisions shall have available a reconsideration process as set out in subdivision 4 of this subsection.

2. Concurrent review shall end for nonpsychiatric claims with dates of admission and services on or after July 1, 1998, with the full implementation of the DRG reimbursement methodology. Concurrent review shall be done to determine that inpatient hospitalization continues to be medically necessary. Prior to the expiration of the previously assigned initial length of stay, the provider shall be responsible for obtaining authorization for continued inpatient hospitalization. If continued inpatient hospitalization is determined necessary, an additional length of stay shall be assigned. Concurrent review shall continue in the same manner until the discharge of the patient from acute inpatient hospital care. Adverse authorization decisions shall have available a reconsideration process as set out in subdivision 4 of this subsection.

3. Retrospective review shall be performed when a provider is notified of a patient's retroactive eligibility for Medicaid coverage. It shall be the provider's responsibility to obtain authorization for covered days

prior to billing DMAS for these services. Adverse authorization decisions shall have available a reconsideration process as set out in subdivision 4 of this subsection.

4. Reconsideration process.

a. Providers requesting reconsideration must do so upon verbal notification of denial.

b. This process is available to providers when the nurse reviewers advise the providers by telephone that the medical information provided does not meet DMAS specified criteria. At this point, the provider must request by telephone a higher level of review if he disagrees with the nurse reviewer's findings. If higher level review is not requested, the case will be denied and a denial letter generated to both the provider and recipient identifying appeal rights.

c. If higher level review is requested, the authorization request will be held in suspense and referred to the Utilization Management Supervisor (UMS). The UMS shall have one working day to render a decision. If the UMS upholds the adverse decision, the provider may accept that decision and the case will be denied and a denial letter identifying appeal rights will be generated to both the provider and the recipient. If the provider continues to disagree with the UMS' adverse decision, he must request physician review by DMAS medical support. If higher level review is requested, the authorization request will be held in suspense and referred to DMAS medical support for the last step of reconsideration.

d. DMAS medical support will review all case specific medical information. Medical support shall have two working days to render a decision. If medical support upholds the adverse decision, the request for authorization will then be denied and a letter identifying appeal rights will be generated to both the provider and the recipient. The entire reconsideration process must be completed within three working days.

5. Appeals process.

a. Recipient appeals. Upon receipt of a denial letter, the recipient shall have the right to appeal the adverse decision. Under the Client Appeals regulations, Part I (12 VAC 30-110-10 et seq.) of 12 VAC 30-110, the recipient shall have 30 days from the date of the denial letter to file an appeal.

b. Provider appeals. If the reconsideration steps are exhausted and the provider continues to disagree, upon receipt of the denial letter, the provider shall have 30 days from the date of the denial letter to file an appeal if the issue is whether DMAS will reimburse the provider for services already rendered. The appeal shall be held in accordance with the Administrative Process Act (§ 9-6.14:1 et seq. of the Code of Virginia).

B. Cosmetic surgical procedures shall not be covered unless performed for physiological reasons and require DMAS prior approval.

C. Reimbursement for induced abortions is provided in only those cases in which there would be a substantial endangerment to health or life of the mother if the fetus were carried to term.

D. Coverage of inpatient hospitalization shall be limited to a total of 21 days per admission in a 60-day period for the same or similar diagnosis or treatment plan. The 60-day period would begin on the first hospitalization (if there are multiple admissions) admission date. There may be multiple admissions during this 60-day period. Claims which exceed 21 days per admission within 60 days for the same or similar diagnosis or treatment plan will not be authorized for payment. Claims which exceed 21 days per admission within 60 days with a different diagnosis or treatment plan will be considered for reimbursement if medically indicated. Except as previously noted, regardless of authorization for the hospitalization, the claims will be processed in accordance with the limit for 21 days in a 60-day period. Claims for stays exceeding 21 days in a 60-day period shall be suspended and processed manually by DMAS staff for appropriate reimbursement. The limit for coverage of 21 days for nonpsychiatric admissions shall cease with dates of service on or after July 1, 1998.

EXCEPTION: SPECIAL PROVISIONS FOR ELIGIBLE INDIVIDUALS UNDER 21 YEARS OF AGE: Consistent with 42 CFR 441.57, payment of medical assistance services shall be made on behalf of individuals under 21 years of age, who are Medicaid eligible, for medically necessary stays in general hospitals and freestanding psychiatric hospitals in excess of 21 days per admission when such services are rendered for the purpose of diagnosis and treatment of health conditions identified through a physical or psychological, as appropriate, examination. The admission and length of stay must be medically justified and preauthorized via the admission and concurrent or retrospective review processes described in subsection A of this section. Medically unjustified days in such hospitalizations shall not be authorized for payment.

E. *Mandatory lengths of stay.*

1. Coverage for a normal, uncomplicated vaginal delivery shall be limited to the day of delivery plus an additional two days unless additional days are medically justified. Coverage for cesarean births shall be limited to the day of delivery plus an additional four days unless additional days are medically justified.

2. *Coverage for a radical or modified radical mastectomy for treatment of disease or trauma of the breast shall be provided for a minimum of 48 hours. Coverage for a total or partial mastectomy with lymph node dissection for treatment of disease or trauma of the breast shall be provided for a minimum of 24 hours. Additional days beyond the specified minimums for either radical, modified, total, or partial mastectomies may be covered if medically justified and prior authorized until the*

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diagnosis related grouping methodology is fully implemented. Nothing in this chapter shall be construed as requiring the provision of inpatient coverage where the attending physician in consultation with the patient determines that a shorter period of hospital stay is appropriate.

F. Coverage in freestanding psychiatric hospitals shall not be available for individuals aged 21 through 64. Medically necessary inpatient psychiatric care rendered in a psychiatric unit of a general acute care hospital shall be covered for all Medicaid eligible individuals, regardless of age, within the limits of coverage prescribed in this section and 12 VAC 30-50-105.

G. For the purposes of organ transplantation, all similarly situated individuals will be treated alike. Transplant services for kidneys and corneas shall be covered for all eligible persons. High dose chemotherapy and bone marrow/stem cell transplantation shall be covered for all eligible persons with a diagnosis of lymphoma or breast cancer. Transplant services for liver, heart, and any other medically necessary transplantation procedures that are determined to not be experimental or investigational shall be limited to children (under 21 years of age). Kidney, liver, heart, and bone marrow/stem cell transplants and any other medically necessary transplantation procedures that are determined to not be experimental or investigational require preauthorization by DMAS medical support. Inpatient hospitalization related to kidney transplantation will require preauthorization at the time of admission and, concurrently, for length of stay. Cornea transplants do not require preauthorization of the procedure, but inpatient hospitalization related to such transplants will require preauthorization for admission and, concurrently, for length of stay. The patient must be considered acceptable for coverage and treatment. The treating facility and transplant staff must be recognized as being capable of providing high quality care in the performance of the requested transplant. Reimbursement for covered liver, heart, and bone marrow transplant/stem cell services and any other medically necessary transplantation procedures that are determined to not be experimental or investigational shall be a fee based upon the greater of a prospectively determined, procedure-specific flat fee determined by the agency or a prospectively determined, procedure-specific percentage of usual and customary charges. The flat fee reimbursement will cover procurement costs; all hospital costs from admission to discharge for the transplant procedure; and total physician costs for all physicians providing services during the transplant hospital stay, including radiologists, pathologists, oncologists, surgeons, etc. The flat fee reimbursement does not include pre- and post-hospitalization for the transplant procedure or pretransplant evaluation. If the actual charges are lower than the fee, the agency shall reimburse actual charges. Reimbursement for approved transplant procedures that are performed out of state will be made in the same manner as reimbursement for transplant procedures performed in the Commonwealth. Reimbursement for covered kidney and cornea transplants is at the allowed Medicaid rate. Standards for coverage of

organ transplant services are in 12 VAC 30-50-540 through 12 VAC 30-50-570.

H. Coverage of observation beds. (Reserved.)

I. In compliance with federal regulations at 42 CFR 441.200, Subparts E and F, claims for hospitalization in which sterilization, hysterectomy or abortion procedures were performed shall be subject to review. Hospitals must submit the required DMAS forms corresponding to the procedures. Regardless of authorization for the hospitalization during which these procedures were performed, the claims shall suspend for manual review by DMAS. If the forms are not properly completed or not attached to the bill, the claim will be denied or reduced according to DMAS policy.

12 VAC 30-50-105. Inpatient hospital services provided at general acute care hospitals and freestanding psychiatric hospitals; nonenrolled providers (nonparticipating/out of state).

A. The full DRG inpatient reimbursement methodology shall become effective July 1, 1998, for general acute care hospitals and freestanding psychiatric hospitals which are nonenrolled providers (nonparticipating/out of state) and the same reviews, criteria, and requirements shall apply as are applied to enrolled, in-state, participating hospitals in 12 VAC 30-50-100.

B. Inpatient hospital services rendered by nonenrolled providers shall not require preauthorization with the exception of transplants as described in subsection K of this section. However, these inpatient hospital services claims will be suspended from payment and manually reviewed for medical necessity as described in subsections C through K of this section using criteria specified by DMAS.

C. Medicaid inpatient hospital admissions (lengths-of-stay) are limited to the 75th percentile of PAS (Professional Activity Study of the Commission on Professional and Hospital Activities) diagnostic/procedure limits. For admissions under four days that exceed the 75th percentile, the hospital must attach medical justification records to the billing invoice to be considered for additional coverage when medically justified. For all admissions that exceed three days up to a maximum of 21 days, the hospital must attach medical justification records to the billing invoice. (See the exception to subsection H of this section.)

D. Cosmetic surgical procedures shall not be covered unless performed for physiological reasons and require DMAS prior approval.

E. Reimbursement for induced abortions is provided in only those cases in which there would be a substantial endangerment to health or life of the mother if the fetus was carried to term.

F. Hospital claims with an admission date prior to the first surgical date, regardless of the number of days prior to surgery, must be medically justified. The hospital must write on or attach the justification to the billing invoice for consideration of reimbursement for all pre-operative days.

Medically justified situations are those where appropriate medical care cannot be obtained except in an acute hospital setting thereby warranting hospital admission. Medically unjustified days in such admissions will be denied.

G. Reimbursement will not be provided for weekend (Saturday/Sunday) admissions, unless medically justified. Hospital claims with admission dates on Saturday or Sunday will be pended for review by medical staff to determine appropriate medical justification for these days. The hospital must write on or attach the justification to the billing invoice for consideration of reimbursement coverage for these days. Medically justified situations are those where appropriate medical care cannot be obtained except in an acute hospital setting thereby warranting hospital admission. Medically unjustified days in such admission will be denied.

H. Coverage of inpatient hospitalization shall be limited to a total of 21 days per admission in a 60-day period for the same or similar diagnosis or treatment plan. The 60-day period would begin on the first hospitalization (if there are multiple admissions) admission date. There may be multiple admissions during this 60-day period. Claims which exceed 21 days per admission within 60 days for the same or similar diagnosis or treatment plan will not be reimbursed. Claims which exceed 21 days per admission within 60 days with a different diagnosis or treatment plan will be considered for reimbursement if medically justified. The admission and length of stay must be medically justified and preauthorized via the admission and concurrent review processes described in subsection A of 12 VAC 30-50-100. Claims for stays exceeding 21 days in a 60-day period shall be suspended and processed manually by DMAS staff for appropriate reimbursement. The limit for coverage of 21 days shall cease with dates of service on or after July 1, 1998. Medically unjustified days in such hospitalizations shall not be reimbursed by DMAS.

EXCEPTION: SPECIAL PROVISIONS FOR ELIGIBLE INDIVIDUALS UNDER 21 YEARS OF AGE: Consistent with 42 CFR 441.57, payment of medical assistance services shall be made on behalf of individuals under 21 years of age who are Medicaid eligible for medically necessary stays in general hospitals and freestanding psychiatric facilities in excess of 21 days per admission when such services are rendered for the purpose of diagnosis and treatment of health conditions identified through a physical or psychological, as appropriate, examination.

I. *Mandatory lengths of stay.*

1. Coverage for a normal, uncomplicated vaginal delivery shall be limited to the day of delivery plus an additional two days unless additional days are medically justified. Coverage for cesarean births shall be limited to the day of delivery plus an additional four days unless additional days are medically necessary.

2. *Coverage for a radical or modified radical mastectomy for treatment of disease or trauma of the breast shall be provided for a minimum of 48 hours. Coverage for a total or partial mastectomy with lymph node dissection for treatment of disease or trauma of the*

breast shall be provided for a minimum of 24 hours. Additional days beyond the specified minimums for either radical, modified, total, or partial mastectomies may be covered if medically justified and prior authorized until the diagnosis related grouping methodology is fully implemented. Nothing in this chapter shall be construed as requiring the provision of inpatient coverage where the attending physician in consultation with the patient determines that a shorter period of hospital stay is appropriate.

J. Reimbursement will not be provided for inpatient hospitalization for those surgical and diagnostic procedures listed on the DMAS outpatient surgery list unless the inpatient stay is medically justified or meets one of the exceptions.

K. For purposes of organ transplantation, all similarly situated individuals will be treated alike. Transplant services for kidneys and corneas shall be covered for all eligible persons. High dose chemotherapy and bone marrow/stem cell transplantation shall be covered for all eligible persons with a diagnosis of lymphoma or breast cancer. Transplant services for liver, heart, and any other medically necessary transplantation procedures that are determined to not be experimental or investigational shall be limited to children (under 21 years of age). Kidney, liver, heart, bone marrow/stem cell transplants and any other medically necessary transplantation procedures that are determined to not be experimental or investigational require preauthorization by DMAS. Cornea transplants do not require preauthorization. The patient must be considered acceptable for coverage and treatment. The treating facility and transplant staff must be recognized as being capable of providing high quality care in the performance of the requested transplant. Reimbursement for covered liver, heart, and bone marrow/stem cell transplant services and any other medically necessary transplantation procedures that are determined to not be experimental or investigational shall be a fee based upon the greater of a prospectively determined, procedure-specific flat fee determined by the agency or a prospectively determined procedure-specific percentage of usual and customary charges. The flat fee reimbursement will cover: procurement costs; all hospital costs from admission to discharge for the transplant procedure; total physician costs for all physicians providing services during the transplant hospital stay, including radiologists, pathologists, oncologists, surgeons, etc. The flat fee does not include pre- and post-hospitalization for the transplant procedure or pretransplant evaluation. If the actual charges are lower than the fee, the agency shall reimburse actual charges. Reimbursement for approved transplant procedures that are performed out of state will be made in the same manner as reimbursement for transplant procedures performed in the Commonwealth. Reimbursement for covered kidney and cornea transplants is at the allowed Medicaid rate. Standards for coverage of organ transplant services are in 12 VAC 30-50-540 through 12 VAC 30-50-570.

L. Coverage of observation beds. (Reserved.)

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M. In compliance with 42 CFR 441.200, Subparts E and F, claims for hospitalization in which sterilization, hysterectomy or abortion procedures were performed shall be subject to review of the required DMAS forms corresponding to the procedures. The claims shall suspend for manual review by DMAS. If the forms are not properly completed or not attached to the bill, the claim will be denied or reduced according to DMAS policy.

VA.R. Doc. No. R98-308; Filed August 12, 1998, 11:05 a.m.

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Title of Regulation: **12 VAC 30-100-10 et seq. State Programs: Part IV, Health Insurance Program for Working Uninsured Individuals (adding 12 VAC 30-100-400, 12 VAC 30-100-410, 12 VAC 30-100-420, 12 VAC 30-100-430, 12 VAC 30-100-440, 12 VAC 30-100-450, 12 VAC 30-100-460, 12 VAC 30-100-470, 12 VAC 30-100-480 and 12 VAC 30-100-490).**

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

Effective Date: October 1, 1998.

Summary:

These regulations establish the Health Insurance Program for Working Uninsured Individuals. This program will provide Virginia with a chance to test the provision of health insurance premium subsidies on a small scale with the possibility of later expanding to a statewide program. These regulations define who is eligible to receive premium subsidies, how beneficiaries will be enrolled and disenrolled, and what appeal rights they have. The regulations outline the rights and responsibilities of the providers and describe how DMAS monitors the services provided by the managed care plans. The regulations also outline the administrative structure and reimbursement methodology. Finally, they provide information on the benefit package or covered services.

Summary of Public Comments and Agency's Response: A summary of comments made by the public and the agency's response may be obtained from the promulgating agency or viewed at the office of the Registrar of Regulations.

Agency Contact: Victoria P. Simmons, Regulatory Coordinator, Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, VA 23219, telephone (804) 371-8850.

PART IV.

HEALTH INSURANCE FOR THE WORKING UNINSURED.

12 VAC 30-100-400. Applicability.

In the event that definitions or provisions of this part conflict with definitions or provisions of the Bureau of Insurance statutes or regulations governing health maintenance organizations, then the relevant Bureau of Insurance definitions and provisions shall take precedence.

12 VAC 30-100-410. Definitions.

A. *In this part, the Health Insurance Program for Working Uninsured Individuals will be referred to as "program." When reference is made to eligibility for the program, or to program benefits, the intent is to refer specifically to the health insurance premium subsidies provided through the program.*

B. *The following words and terms when used in this part shall have the following meanings unless the context clearly indicates otherwise:*

"Appeal" means any written communication from a subscriber or his representative which clearly expresses that he wants to present his case to a reviewing authority.

"Applicant" means an individual who has applied for or is in the process of applying for health insurance premium subsidies.

"Applicant's or subscriber's representative" means a person who, because of the applicant's or subscriber's mental or physical incapacity, is authorized to complete, sign, or withdraw an application for the benefits of the program; activate the appeal process; and otherwise supply any information requested by the program on behalf of the applicant or subscriber.

"Contractor" means a health maintenance organization in each pilot site that enters into a contract with DMAS to provide the Essential Health Benefits Plan to beneficiaries of the program.

"Covered services" means services as defined in the Essential Health Benefits Plan.

"Date of application" means either the date that the contractor officially receives an application from an employee or the date that the contractor officially receives enough employee applications from any given employer to meet its minimum participation requirement if the contractor has such a requirement.

"Department" or "DMAS" means the Department of Medical Assistance Services.

"Dependent" means the spouse or child of an eligible employee, subject to the applicable terms of the policy, contract or plan covering the eligible employee.

"Disenrollment" means a subscriber [who] voluntarily decides to discontinue receiving subsidized health insurance premiums, or is determined ineligible by DMAS to continue receiving subsidized health insurance benefits.

"Eligible alien" means an individual who satisfies the alien status criteria for medical assistance services administered by the Department of Medical Assistance Services (see 12 VAC 30-40-10 and 12 VAC 30-110-1300).

"Eligible person" or "eligible employee" means a full-time employee of a primary small employer determined by DMAS to meet the qualifications needed to receive premium subsidies under the program. Other employees who do not meet the necessary income requirements may enroll in the

contractor's health plan if they pay the cost of the premium beyond any contribution from their employer. However, throughout this part, employees described as eligible for the program are those eligible for premium subsidies.

"Eligible employer" or "eligible firm" means any employer determined by the program and the contractor to meet the qualifications needed in order for its employees to be qualified to enroll in the program.

"Emergency services" means those health care services that are rendered by affiliated or nonaffiliated providers after the sudden onset of a medical condition that manifests itself by symptoms of sufficient severity, including severe pain, that the absence of immediate medical attention could reasonably be expected by a prudent layperson who possesses an average knowledge of health and medicine to result in (i) serious jeopardy to the mental or physical health of the individual, (ii) danger of serious impairment of the individual's bodily functions, (iii) serious dysfunction of any of the individual's bodily organs, or (iv) in the case of a pregnant woman, serious jeopardy to the health of the fetus. Emergency services provided within the plan's service area shall include covered health care services from nonaffiliated providers only when delay in receiving care from a provider affiliated with the health maintenance organization could reasonably be expected to cause the subscriber's condition to worsen if left unattended.

"Essential Health Benefits Plan" means a health benefit package developed pursuant to § 38.2-3431 C of the Code of Virginia.

"Family" means the spouse or child of an eligible employee, subject to the applicable terms of the policy, contract or plan covering the eligible employee.

"Grievance" means any request by a subscriber to a contractor to resolve a dispute.

"Health care plan" means any arrangement in which any health maintenance organization undertakes to provide, arrange for, pay for, or reimburse any part of the cost of any health care services. A significant part of the arrangement shall consist of arranging for or providing health care services, as distinguished from mere indemnification against the cost of the services, on a prepaid basis.

"Health insurance premium subsidy" means the portion of the health insurance premiums paid by the program on behalf of an individual eligible to participate in the program.

"HMO" means a health maintenance organization which undertakes to provide, arrange for, pay for, or reimburse any part of the cost of any health care services.

"Initial enrollment period" means a period of at least 30 days.

"Late subscriber" means an eligible employee or dependent who requests enrollment in a health benefit plan of a small employer after the initial enrollment period provided under the terms of the health benefit plan.

"Minimum participation requirement" means the minimum percentage of employees in a given firm who are required to enroll in the health plan before the contractor agrees to provide coverage to that firm. The minimum participation requirement may be met through the enrollment of subsidized as well as nonsubsidized employees within any given firm.

"Network" means doctors, hospitals or other health care providers who participate or contract with a managed care plan and, as a result, agree to accept a mutually-agreed upon sum or fee schedule as payment in full for covered services.

~~["Primary small employer" means any person actively engaged in business that, on at least 50% of its working days during the preceding year, employed no more than 25 qualified employees and not less than two unrelated qualified employees, except as provided in subdivision A 2 of § 38.2-3523 of the Code of Virginia, the majority of whom are enrolled within this Commonwealth. Primary small employer includes companies that are affiliated companies or that are eligible to file a combined tax return. Except as otherwise provided, the provisions of Article 5 (§ 38.2-3431 et seq.) of Chapter 34 of Title 38.2 of the Code of Virginia that apply to a primary small employer shall apply until the earlier of the plan anniversary or one year following the date the employer no longer meets the requirements of that subsection.]~~

"Program" means the Health Insurance Program for Working Uninsured Individuals. References to eligibility for the program specifically refer to subsidized health insurance premium payments.

"Qualified employee" means an employee who works for a small group employer on a full-time basis; has a normal work week of 30 or more hours; has satisfied applicable waiting period requirements; and is not a part-time, temporary or substitute employee.

"Service area" means a clearly defined geographic area in which the health maintenance organization has arranged for the provision of health care services to be generally available and readily accessible to subscribers.

["Small employer" means an employer who employed an average of at least two but not more than 50 employees on business days during the preceding calendar year and who employs at least two employees on the first day of the program year.]

"Subscriber" means an individual who has been determined to be eligible for, and is receiving, premium subsidies through the program.

12 VAC 30-100-420. Program subscribers.

A. DMAS shall determine whether individuals who apply for premium subsidies are eligible for the premium subsidies. This section specifically applies to individuals eligible for premium subsidies. Employees of eligible firms who are not eligible for the premium subsidy, or who choose not to apply for the subsidy, may enroll with the contractor to receive the Essential Health Benefits Plan subject to requirements the

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contractor may impose. These employees' rights and responsibilities as well as those of the contractor, the employers and the providers will be governed by relevant state or federal laws and regulations that apply to HMOs.

B. Eligibility requirements. Employees and their dependents shall be eligible for receiving health insurance premium subsidies through the program if the following requirements are met:

1. The employee's gross household income is at or under 200% of the United States nonfarm poverty income guidelines.

2. The employee is a U.S. citizen or eligible alien [~~and a resident of Virginia~~].

3. The employee has no health insurance and is ineligible for [any state's] Medicaid [benefits].

4. The employee is employed by a [~~primary~~] small employer which is located in the geographical area covered by the program.

5. The employee works full time (30 hours per week or more).

[6. The employee agrees to pay his designated portion of the health insurance premium as specified by DMAS.]

[~~6. 7.~~] The employer agrees to pay at least 50% of the cost of the premium for all his employees. [Initially,] the employer is not obligated to contribute toward the cost of health insurance for the employee's dependents. [The type and amount of employer contributions in future project sites will be controlled by the appropriate contract with DMAS.]

[~~7. 8.~~] The employer has not offered health insurance to his employees for 12 months prior to his employees enrolling in the program.

[~~8. 9.~~] A contractor may exclude a late subscriber from coverage for up to 18 months. If a contractor does impose a waiting period on late subscribers, then the enrollment of employees in any given eligible firm shall be limited to the initial enrollment period, subject to the provisions of subsection J of § 38.2-3432.3 of the Code of Virginia.

[~~9. 10.~~] A contractor may impose a minimum participation requirement for each firm. Thus, although an employee and his employer may have met all the other eligibility requirements, the contractor will not enroll any employees until the minimum participation requirement for each firm is met.

C. Determination of countable income. When determining eligibility for the program, income shall include total projected family income for the year beginning with the month of application to the program, including but not limited to:

1. Wages;
2. Commissions and fees;

3. Salaries and tips;
4. Profit from self-employment;
5. Dividends or interest income;
6. Disability benefits;
7. Unemployment; and
8. Pension or retirement.

D. Subscriber application and enrollment process. The HMO contracted to provide services in each pilot area will market the program to the employers and employees in its service area. Employees not requesting the subsidy shall be enrolled directly by the contractor, while the applications of the employees requesting the subsidy shall be forwarded to DMAS where their eligibility for the subsidies shall be determined. Eligible persons shall be enrolled in the program on a first-come, first-served basis taking into account that the contractor may have a minimum participation requirement. Eligible individuals shall be enrolled until the available funding limit for that pilot site is reached as provided for in subsection F of this section.

1. An applicant or applicant's representative shall complete an application on the form designated by DMAS and the contractor. The application shall include information requested by the contractor for purposes of enrolling the applicant into the health plan, as well as financial information requested by DMAS to determine the applicant's eligibility for the program.

2. Applications shall conform with the requirements of this part and shall be approved by DMAS. DMAS may request additional documentation for eligibility determination purposes as it deems necessary. Applicants shall provide additional documentation requested by DMAS within 20 days of the date that DMAS mails its request for information. Applicants shall be determined ineligible without prejudice when they fail to provide information sufficient for the determination of eligibility.

3. An applicant or applicant's representative shall sign a statement authorizing DMAS to verify from any source, including banks and public or private agencies providing monetary benefits, qualifying information submitted to the program as part of the application process. Refusal to sign an authorization is considered failure to provide sufficient information, and applicants shall be determined ineligible in accordance with the provisions of this part.

4. Eligibility determination by DMAS shall be made promptly, not later than 30 days from the date of receipt of the completed application by the program. This time standard shall be extended for reasons of just cause as determined by DMAS.

5. An applicant or applicant's representative may voluntarily withdraw the application at any time without prejudice.

6. Program enrollment shall be effective following determination by DMAS that the applicant is eligible for a premium subsidy and that there is an available applicant space. The actual date of enrollment of the subscriber into the health plan shall be specified in the contract between the contractor and DMAS. For individuals found eligible after appeal of an ineligibility decision, program participation shall be retroactive to the first day of the month following the decision that was the subject of appeal. ~~[Under these circumstances, If the subscriber elects to either maintain or initiate his health insurance coverage, then]~~ the employer and employee shall be responsible for payment of any unpaid premiums to the contractor, and DMAS shall reimburse the subscriber for the amount that the premium subsidy would have covered during ~~[that the]~~ time ~~[period of the appeal consideration and decision]~~.

E. DMAS will promptly redetermine eligibility when it receives information concerning an applicant's or subscriber's circumstances that may affect eligibility.

1. The subscriber or his representative shall notify DMAS within 10 working days of any changes in circumstances which would affect continuing eligibility, including but not limited to a change in:

- a. Income;
- b. Name or address;
- c. Employment status; or
- d. Marital status.

2. If any changes in status result in a subscriber no longer qualifying for the program, the premium subsidy payments will be canceled. The cancellation shall be effective at the end of the month of determination of ineligibility. DMAS shall notify the subscriber and the contractor of its determination and inform the subscriber of any legal rights to appeal the decision pursuant to the notification requirements of this part. If the subscriber who no longer qualifies for the subsidy chooses, he may continue to receive the Essential Health Benefit Plan through the contractor by agreeing to pay any premium amount not covered by his employer. If a subscriber's employment status changes such that he is no longer eligible for health insurance coverage under his employer, he shall be responsible for paying the full cost of any replacement health insurance coverage.

F. The number of subscribers enrolled in the program shall be limited to the number that can be covered by the program's available funding based on DMAS' projections of expenditures.

1. When enrollment into the project is initiated, enrollment of eligible applicants will be performed on a first-come, first-served basis once any minimum participation requirement for each firm has been reached. If the contractor has a minimum participation requirement, available openings in the program shall be

filled based on the official date of receipt by the contractor of a batch of applications from each firm with sufficient employees to meet the minimum participation requirement of the contractor. If the contractor does not have a minimum participation requirement, enrollment of eligible employees shall be performed on a first-come, first-served basis based on the date the employee's application is officially received by the contractor. If the contractor imposes a waiting period on late subscribers, employees who choose not to enroll during the initial enrollment period shall not be allowed to enroll in the program. New employees hired by a firm after the initial enrollment period will be permitted to apply for subsidized health insurance at the discretion of the contractor as long as there are available openings in the program.

2. As the enrollment cap is reached, DMAS shall limit the number of premium-eligible subscribers who are enrolled in the program in such a way as to allow for enrollment of additional subscribers from firms which are already participating in the program, or to allow for the enrollment of all premium-eligible subscribers from a new firm.

3. DMAS shall maintain a waiting list of applicants who are determined to be eligible for the program but for whom openings are not available when the eligibility determinations are made. DMAS shall send this waiting list to the contractor on a monthly basis or more often if the contractor so requests.

4. Available openings shall be filled from the waiting list on a first-come, first-served basis, except that applicants from firms that are already participating shall be given preference over applicants from firms that are not participating. Enrollment of eligible applicants from the waiting list shall also take into account that the contractor may have minimum participation requirements. A minimum participation requirement would have to be fulfilled for any given firm before any applicants on the waiting list from that firm are enrolled.

5. If openings become available, the applicant, employer, and contractor shall be notified in writing by DMAS. The applicant and the employer must provide any necessary information to the contractor and to DMAS to verify that they are still eligible within 10 days of receiving notification. The 10-day period may be extended by DMAS for just cause. If determined to be still eligible, the applicant shall be enrolled.

G. Authorization for premium subsidies under this program shall be granted until program termination ~~[(see 12 VAC 30-100-490)], unless the subscriber's status changes so that he no longer meets the eligibility criteria or unless the contractor terminates coverage of a subscriber or an employer for failure to comply with the contract between the contractor and the employer or the subscriber. [Program termination is projected to be two years after the date the program is implemented unless funding is not available, and the program~~

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~~must be terminated before the projected two-year period. If additional funding becomes available, the program may be extended as funding permits.]~~

H. *Disenrollment.* A subscriber may request to disenroll from the premium subsidy program at any time. Participation in the premium subsidy program is voluntary. However, once a subscriber disenrolls from the premium subsidy program, he may not be allowed to [~~enroll~~ re-enroll] in the premium subsidy program again at a later date.

12 VAC 30-100-430. Program contractors.

A. The department shall contract with one HMO in each pilot site to market the program, enroll the beneficiaries, and provide medical care services. These HMOs are referred to as the contractors.

B. The contractors shall be responsible for the following services:

1. Each contractor shall market the program to the employers and employees in its respective pilot area and enroll subscribers into its health plan according to provisions of the contract between the contractor and DMAS.

2. The contractors shall provide, at a minimum, all medically necessary covered services provided under the Essential Health Benefits Plan, except as otherwise modified or excluded in this part. The contractor shall provide subscribers with evidence of coverage and charges for health care services as provided for in § 38.2-4306 of the Code of Virginia.

3. The contractor shall provide emergency services as provided for in § 38.2-4300 of the Code of Virginia.

4. The contractors shall pay for services furnished in facilities or by practitioners outside the contractors' networks if the needed medical services or necessary supplementary resources are required by the Essential Health Benefit Plan and are not available in the contractors' networks. The contractor may establish procedures to authorize these services.

5. The contractors shall verify that applicants for premium subsidies are employed full time by primary small employers, that the employers agree to pay [if not at least] 50% of the cost of employee-only or single coverage for their employees [then that percentage as specified in the appropriate contract with DMAS], and that the employer has not offered health insurance to its employees in the past 12 months.

6. The contractor shall maintain such records as may be required by state law and regulation. The contractor shall furnish such required information to DMAS or to the Attorney General of Virginia or his authorized representatives on request and in the form requested.

7. The contractor shall ensure that the health care provided to its subscribers meets all applicable federal and state mandates and standards for quality.

C. DMAS shall monitor to determine if the contractor:

1. Imposes on subscribers premium amounts in excess of premiums permitted as outlined in the contract between the contractor and DMAS.

2. Misrepresents or falsifies information that it furnishes to DMAS, an individual, or any other entity.

D. If DMAS determines that a contractor is not in compliance with its program contract, DMAS may impose sanctions on the contractor. The sanctions may include but [~~are~~ shall] not [be] limited to:

1. Developing procedures with which the contractor must comply to eliminate specific noncompliance;

2. Freezing subsidy payments for new program applicants;

3. Imposing a fine if the contractor does not take steps to correct a problem in a timely fashion; and

4. Terminating the contractor's program contract.

E. When DMAS determines that a contractor committed one of the violations specified in subsection C of this section, DMAS shall consider imposing one or more of the sanctions listed in subsection D of this section. Any sanction imposed pursuant to subsection D of this section shall be binding upon the contractor. The contractor shall have the appeals rights for any sanction imposed pursuant to subsection D of this section as specified in 12 VAC 30-100-470.

12 VAC 30-100-440. Subscribers' employers.

In order for their employees to be eligible for premium subsidies, employers must meet the following requirements and assume the following responsibilities:

1. Employers must be located in the geographical region covered by the pilot program.

2. Firms must be [~~primary~~] small employers ([~~have between two and 25 employees who work full time and on at least 50% of its working days during the preceding year, employed no more than 25 qualified employees and not less than two unrelated qualified employees~~ employ an average of at least two but not more than 50 employees on business days during the preceding calendar year and employ at least two employees on the first day of the plan year]).

3. Employers shall provide assurances to the contractor that they have not offered health insurance to their employees [to be covered] in the 12 months preceding the application for their employees to the program.

4. Employers shall agree to pay [either] at least 50% of the cost of the health insurance premium for a single employee (an employee-only policy) [or a different percentage agreed upon by the Director of DMAS in the appropriate contract] and must agree to cover such costs for all employees.

5. Employers shall agree to withhold the employee's share of the premium payment from their pay, and to send the employee's and the employer's share of the premium payment to the contractor on a monthly basis.

6. A contractor may impose a minimum participation requirement for each firm before any employees of that firm receive coverage through the program.

12 VAC 30-100-450. Program reimbursement.

[A. The employer shall pay a minimum of either at least 50% of his employees' health insurance premiums or that amount specified in the applicable contract with DMAS but also may pay some portion of employees dependents' premiums. The subscriber shall pay up to a maximum of 25% for himself and up to a maximum of 50% for his dependents with the subsidy completing the balance.]

[A- B.] Premium subsidy payments to cover the portion of the premium not paid by the employer and the employee will be made by DMAS to the contractor according to procedures established by DMAS. Payments under this program are limited to the cost of the health insurance premium subsidy and will not include copayments, deductibles, or any other costs incurred by the subscribers of the program.

[B- C.] In all cases in which program premium subsidies have been incorrectly paid to the contractor, the program shall seek recovery from the contractor according to the department's recovery policies. Likewise, the contractor shall seek recovery from the program for premium subsidies which have not been paid or have been incorrectly paid.

[C- D.] Cases of suspected misrepresentation or fraud shall be investigated according to the department's fraud prevention and control policies, and any other applicable statutory provision.

12 VAC 30-100-460. Confidentiality.

All information maintained by DMAS containing personal data including name, address, employer, insurance company, health status, application to or enrollment in the program, and any other information which could identify or be reasonably used to identify any applicant or subscriber in the program shall be maintained in confidence according to all applicable DMAS policies and procedures and any other applicable laws or regulations. Such information may not be disclosed to any individual or organization without the written and dated consent of the applicant, subscriber, or subscriber's representative.

12 VAC 30-100-470. Appeals process.

A. Appeals relating to disputes about eligibility for or payment of health insurance premium subsidies shall be managed by the department. All other subscriber appeals, grievances or complaints shall be managed by the contractor.

B. Subscriber appeals.

1. An applicant or subscriber who is dissatisfied with a decision, action, or inaction of the contractor with regard

to the provision of medical services may request and shall be granted an opportunity to appeal an adverse decision to the contractor as provided for under 14 VAC 5-210-70 H.

2. An applicant, subscriber, or subscriber's representative may request and shall be granted an opportunity to appeal an adverse decision to DMAS when:

a. His application for health insurance premium subsidies is denied. However, if an application for premium subsidies is denied because of a lack of funds, then there shall be no right to appeal.

b. DMAS takes action or proposes to take action which will adversely affect, reduce, or terminate his receipt of premium subsidies.

c. DMAS does not act with reasonable promptness on his application for premium subsidies.

3. An applicant's, subscriber's, or subscriber representative's appeal to DMAS shall be heard as provided for under the applicable provisions of the department's appeals regulations (Part I of 12 VAC 30-110). The following listing of the sections of the department's appeals regulations indicates whether the provision is applicable to appeals heard under this program:

12 VAC 30-110-10	Applicable
12 VAC 30-110-20	Applicable
12 VAC 30-110-30	The federal regulations imposing a time limitation for appeals do not apply to this program. However, for this program, appeals shall be scheduled and conducted within 90 days, unless waived in writing by the appellant or appellant's representative.
12 VAC 30-110-40 through 12 VAC 30-110-80	Applicable
12 VAC 30-110-90	Not applicable. An applicant's right to appeal is stipulated in subdivision 2 of this subsection.
12 VAC 30-110-100 through 12 VAC 30-110-190	Applicable
12 VAC 30-110-200	Not applicable. Decisions or actions regarding the provision of medical services shall be appealed to the contractor.
12 VAC 30-110-210 A	Applicable

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- 12 VAC 30-110-210 B Not applicable if there is a right to appeal under subdivision 2 of this subsection.
- 12 VAC 30-110-220 through 12 VAC 30-110-350 Applicable
- 12 VAC 30-110-360 With the exception that subsection A, providing for an independent medical assessment, is not applicable to this program.
- 12 VAC 30-110-370 Applicable
- 12 VAC 30-110-380 Applicable

4. The following provisions shall apply to appeals by an applicant, subscriber or subscriber's representative to DMAS:

a. If an applicant is found eligible for the premium subsidy as a result of an appeal, the program shall reimburse the applicant directly for the premium subsidy amount paid by the applicant, beginning with a payment for the month following the application. The applicant shall provide proof of payment of premiums for health insurance.

b. Cases in or pending appeal shall be considered filled subscriber openings until the appeal process has been completed.

C. *Employer appeals.* An employer who is dissatisfied with a decision, action, or inaction of the contractor with regard to the firm's meeting the requirements of this part so that their employees may participate in the program, may request, and shall be granted an opportunity to appeal an adverse decision to the contractor. The contractor shall develop an appeals process to respond to complaints from employers. This appeals process shall follow the model for applicant appeals as provided for under 14 VAC 5-210-70.

D. *Contractor appeals.* In accordance with the terms of the contract, contractors shall have the right to appeal any adverse action taken by DMAS. For appeal procedures not addressed by the contract, the contractor shall proceed in accordance with the appeals provisions of the Virginia Public Procurement Act (§ 11-35 et seq. of the Code of Virginia). Pursuant to §§ 11-70 and 11-71 of the Code of Virginia, DMAS establishes an administrative appeals procedure, which the contractor may elect to appeal decisions on disputes arising during the performance of its contract. Pursuant to § 11-71 of the Code of Virginia, such appeal shall be heard by a hearing officer; however, in no event shall the hearing officer be an employee of DMAS. In conducting the administrative appeal, the hearing officer shall follow the hearing procedure used in § 9-6.14:12 of the Code of Virginia.

[12 VAC 30-100-480. Reserved.

12 VAC 30-100-490. Sunset provision.

Program termination shall be two years after the date the program is implemented. If funding is not available or is depleted after implementation and before the two-year operation period ends, the program will terminate prior to the projected two-year period. If additional funding becomes available, the program may be extended as funding permits and as legislatively and administratively approved. Part IV (12 VAC 30-40-400 et seq.) of this chapter shall become inoperative upon program termination.]

VA.R. Doc. No. R97-338; Filed August 12, 1998, 11:04 a.m.

TITLE 18. PROFESSIONAL AND OCCUPATIONAL LICENSING

BOARD OF LICENSED PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS AND SUBSTANCE ABUSE TREATMENT PROFESSIONALS

Title of Regulation: 18 VAC 115-40-10 et seq. Regulations Governing the Certification of Rehabilitation Providers (amending 18 VAC 115-40-10, 18 VAC 115-40-20, 18 VAC 115-40-22, 18 VAC 115-40-25, 18 VAC 115-40-40 and 18 VAC 115-40-50; adding 18 VAC 115-40-26 and 18 VAC 115-40-27).

Statutory Authority: §§ 54.1-2400 and 54.1-3515 of the Code of Virginia.

Effective Date: September 30, 1998.

Summary:

The amendments replace emergency regulations which were promulgated pursuant to 1997 statutory changes that more precisely define the scope of practice for individuals that exercise professional judgment in the provision of vocational rehabilitation services and clearly restrict the mandate for certification to those individuals.

The amendments establish as the minimum requirements for certification a baccalaureate degree in any field or an associate's degree in nursing as evidenced by a current RN license plus 2,000 hours of appropriately supervised training over a five-year period under an appropriately credentialed supervisor.

Summary of Public Comments and Agency's Response: No public comments were received by the promulgating agency.

Agency Contact: Copies of the regulation may be obtained from Janet Delorme, Department of Health Professions, 6606 West Broad Street, 4th Floor, Richmond, VA 23230, telephone (804) 662-9575.

18 VAC 115-40-10. Definitions.

A. The terms "board," "certified rehabilitation provider," and "rehabilitation services professional judgment," when

used in this chapter, shall have the meanings ascribed to them in §§ 54.1-3500 and 54.1-3510 of the Code of Virginia.

B. The following words and terms, when used in this chapter, shall have the following meanings unless the context indicates otherwise:

"Competency area" means an area in which a person possesses knowledge and skills and the ability to apply them in the rehabilitation setting.

"Experience" means on-the-job experience under appropriate supervision as set forth in this chapter.

~~*"Health care practitioner"* means any individual certified or licensed by any of the health regulatory boards within the Department of Health Professions, except individuals regulated by the Board of Funeral Directors and Embalmers or the Board of Veterinary Medicine.~~

"Internship" means a supervised field experience as part of a degree requirement obtained from a regionally accredited university as set forth in 18 VAC 115-40-22.

"Regionally accredited" means an institution accredited by one of the regional accreditation agencies recognized by the United States Secretary of Education as responsible for accrediting senior post-secondary institutions and training programs.

"Rehabilitation client" or ~~*"client"*~~ means an individual receiving rehabilitation services whose benefits are regulated by the Virginia Workers' Compensation Commission.

"Supervisee" means any individual who has met the education requirements and is under appropriate supervision and working towards certification according to the requirements of this chapter. Services provided by the supervisee shall not involve the exercise of professional judgment as defined in § 54.1-3510 of the Code of Virginia.

"Supervision" means the ongoing process performed by a supervisor who monitors the performance of the person supervised and provides regular, documented, personal instruction, guidance, and education with respect to the skills and competencies of the person supervised.

"Supervisor" means one who provides case-related supervision, consultation, education, and guidance for the applicant. The supervisor must be credentialed as defined in 18 VAC 115-40-27.

"Training" means the educational component of on-the-job experience.

18 VAC 115-40-20. Fees required by the board.

A. The board has established the following fees applicable to the certification of rehabilitation providers:

Application processing	\$100
Certification renewal	\$50
Duplicate certificate	\$15
Late renewal	\$50
Replacement of or additional wall certificate	\$15
Returned check	\$15

B. Fees shall be made by check or money order payable to the Treasurer of Virginia and forwarded to the board. All fees are nonrefundable.

Examination fees shall be made payable to the examination service and mailed directly to the examination service.

18 VAC 115-40-22. Criteria for eligibility.

A. Education ~~or~~ and experience requirements for certification are as follows:

1. ~~Graduation~~ Any baccalaureate degree from a regionally accredited college or university with a degree in an education, health or human services field or a diploma in nursing current registered nurse license in good standing in Virginia; ~~or and~~

2. Documentation of 2,000 hours of ~~training or~~ supervised experience in performing those services that will be offered to a workers' compensation claimant under § 65.2-603 of the Code of Virginia. Experience may be acquired through supervised training or experience or both. A supervised internship in rehabilitation services may count toward part of the required 2,000 hours. Any individual who does not meet the experience requirement for certification must practice under the supervision of an individual who meets the requirements of 18 VAC 115-40-27. Individuals shall not practice in an internship or supervisee capacity for more than five years.

B. A passing score on a board-approved examination shall be required.

C. The board may grant certification without examination to applicants certified as rehabilitation providers in other states or by nationally recognized certifying agencies, boards, associations and commissions by standards substantially equivalent to those set forth in the board's current regulation.

18 VAC 115-40-25. Application process.

The applicant shall submit to the executive director of the board at least 90 days prior to the date of the written examination:

1. A completed application form;
- ~~2. Documentation of one of the following:~~
 - ~~a. 2. The official transcript or transcripts in the original sealed envelope submitted from the appropriate institutions of higher education directly to the applicant;~~
 - ~~b. Employment verification form or forms signed by the employer or his authorized representative or by a licensed health care practitioner who has direct knowledge of the applicant's work in provision of rehabilitation services; or~~
 - ~~c. Certificates or official documentation of training in the area in which services will be provided to workers' compensation claimants; and~~

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3. Documentation, on the appropriate forms, of the successful completion of the supervised experience requirement of 18 VAC 115-40-26. Documentation of supervision obtained outside of Virginia must include verification of the supervisor's out-of-state license or certificate; and

~~3-~~ 4. Documentation of the applicant's national or out-of-state license or certificate in good standing where applicable.

18 VAC 115-40-26. Supervised experience requirement.

The following shall apply to the supervised experience requirement for certification:

1. On average, the supervisor and the supervisee shall consult for two hours per week in group or personal instruction. The total hours of personal instruction shall not be less than 100 hours within the 2,000 hours of experience. Group instruction shall not exceed six members in a group.

2. Half of the personal instruction contained in the total supervised experience shall be face-to-face between the supervisor and supervisee. A portion of the face-to-face instruction shall include direct observation of the supervisee-rehabilitation client interaction.

18 VAC 115-40-27. Supervisor requirements.

A. A supervisor shall:

1. Be a licensed professional counselor, licensed psychologist, licensed clinical social worker, licensed marriage and family therapist, licensed substance abuse treatment practitioner, licensed physician or licensed registered nurse with a minimum of one year of experience in rehabilitation service provision;

2. Be a rehabilitation provider certified by the board who has national certification in rehabilitation service provision as outlined in subsection C of 18 VAC 115-40-22; or

3. Have two years experience as a board certified rehabilitation provider.

B. The supervisor shall assume responsibility for the professional activities of the supervisee.

C. At the time of application for certification by examination, the supervisor shall document for the board: (i) credentials to provide supervision in accordance with this section, (ii) the applicant's total hours of supervision, (iii) length of work experience, (iv) competence in rehabilitation service provision, and (v) any needs for additional supervision or training.

D. Supervision by any individual whose relationship to the supervisee compromises the objectivity of the supervisor is prohibited. This includes but is not limited to immediate family members (spouses, parents, siblings, children and in-laws).

18 VAC 115-40-40. Standards of practice.

A. The protection of the public health, safety and welfare, and the best interest of the public shall be the primary guide in determining the appropriate professional conduct of all persons whose activities are regulated by the board.

B. Each person certified by the board shall:

1. Provide services in a manner that is in the best interest of the public and does not endanger the public health, safety, or welfare.

2. Provide services only within the competency areas for which one is qualified by training or experience.

3. Not provide services under a false or assumed name, or impersonate another practitioner of a like, similar or different name.

~~4. Not represent oneself as "board certified" without specifying the complete name of the specialty board.~~

~~5-~~ 4. Be aware of the areas of competence of related professions and make full use of professional, technical and administrative resources to secure for rehabilitation clients the most appropriate services.

~~6-~~ 5. Not commit any act which is a felony under the laws of this Commonwealth, other states, the District of Columbia or the United States, or any act which is a misdemeanor under such laws and involves moral turpitude.

~~7-~~ 6. Stay abreast of new developments, concepts and practices which are important to providing appropriate services.

~~8-~~ 7. State a rationale in the form of an identified objective or purpose for the provision of services to be rendered to the rehabilitation client.

~~9-~~ 8. Not engage in offering services to a rehabilitation client who is receiving services from another rehabilitation provider without attempting to inform such other providers in order to avoid confusion and conflict for the rehabilitation client.

~~10-~~ 9. Represent accurately one's competence, education, training and experience.

~~11-~~ 10. Refrain from undertaking any activity in which one's personal problems are likely to lead to inadequate or harmful services.

~~12-~~ 11. Not engage in improper direct solicitation of rehabilitation clients and shall announce services fairly and accurately in a manner which will aid the public in forming their own informed judgments, opinions and choices and which avoids fraud and misrepresentation through sensationalism, exaggeration or superficiality.

~~13-~~ 12. Recognize conflicts of interest and inform all parties of the nature and directions of loyalties and responsibilities involved.

~~14.~~ 13. Report to the board known or suspected violations of the laws and regulations governing the practice of rehabilitation providers.

~~15.~~ 14. Report to the board any unethical or incompetent practices by other rehabilitation providers that jeopardize public safety or cause a risk of harm to rehabilitation clients.

~~16.~~ 15. Provide rehabilitation clients with accurate information of what to expect in the way of tests, evaluations, billing, rehabilitation plans and schedules before rendering services.

~~17.~~ 16. Provide services and submission of reports in a timely fashion and ensure that services and reports respond to the purpose of the referral and include recommendations, if appropriate. All reports shall reflect an objective, independent opinion based on factual determinations within the provider's area of expertise and discipline. The reports of services and findings shall be distributed to appropriate parties and shall comply with all applicable legal regulations.

~~18.~~ 17. Specify, for the referral source and the rehabilitation client, at the time of initial referral, what services are to be provided and what practices are to be conducted. This shall include the identification, as well as the clarification, of services that are available by that member.

~~19. When considering personal or confidential information, the provider must~~ 18. Assure that the rehabilitation client is aware, from the outset, if the delivery of service is being observed by a third party. Professional files, reports and records shall be maintained under conditions of security and provisions will be made for their destruction when appropriate for three years beyond the termination of services.

~~20.~~ 19. Never engage in nonprofessional relationships with rehabilitation clients, that compromise the rehabilitation client's well-being, impair the rehabilitation provider's objectivity and judgment or increase the risk of rehabilitation client exploitation.

~~21.~~ 20. Never engage in sexual intimacy with rehabilitation clients or former rehabilitation clients, as such intimacy is unethical and prohibited.

18 VAC 115-40-50. Grounds for revocation, suspension, probation, reprimand, censure, denial of renewal of certificate; petition for rehearing.

Action by the board to revoke, suspend, decline to issue or renew a certificate, to place such a certificate holder on probation or to censure, reprimand or fine a certified rehabilitation provider may be taken in accord with the following:

1. Procuring a license, certificate or registration by fraud or misrepresentation.
2. Violation of, or aid to another in violating any provision of, any regulation or statute applicable to the

provision of rehabilitation services, ~~or any part or portion of this chapter.~~

3. The denial, revocation, suspension or restriction of a registration, license or certificate to practice in another state, or a United States possession or territory or the surrender of any such registration, license or certificate while an active administrative investigation is pending.

4. Conviction of [~~a~~, any] felony, or [of] a misdemeanor involving moral turpitude.

5. Providing rehabilitation services without reasonable skill and safety to clients by virtue of physical or emotional illness or substance abuse.

NOTICE: The forms used in administering 18 VAC 115-40-10 et seq., Regulations Governing the Certification of Rehabilitation Providers, are listed below. Any amended or added forms are reflected in the listing and are published following the listing.

FORMS

General Information for Certification as a Rehabilitation Provider, 3/98.

Application for Certification as a Rehabilitation Provider, Form 1, 3/98.

~~Employment~~—Verification of Experience for Rehabilitation Provider Certification, Form 2, 3/98.

Rehabilitation Provider Verification of Licensure/Certification, Form 3, 3/98.

Licensure/Certification Verification of Applicant Out-of-State Supervisor, Form 4, 3/98.

[Renewal Notice and Application, C-46454 (rev. 7/97).]

Board of Licensed Professional Counselors, Marriage and Family Therapists
and Substance Abuse Professionals
Rehabilitation Provider Certification
6606 West Broad St., 4th Floor
Richmond, VA 23230-1717

804/662-7328

Board of Licensed Professional Counselors, Marriage and Family Therapists
and Substance Abuse Professionals
Rehabilitation Provider Certification
6606 West Broad St., 4th Floor
Richmond, VA 23230-1717

GENERAL INFORMATION FOR CERTIFICATION AS A REHABILITATION PROVIDER

ELIGIBILITY

The criteria for eligibility are set forth in section 18 VAC 115-40-22 on page 2 of the enclosed *Regulations Governing the Certification of Rehabilitation Providers* (booklet with blue cover). Please read the regulations prior to completing your application. The Board cannot make exceptions to requirements that are set forth in regulation.

Effective October 1, 1997, You must meet two criteria to be considered for certification as a rehabilitation provider:

a. **Education:** Hold any baccalaureate degree from a regionally accredited college or university, or hold a current R.N. license in good standing in Virginia.

AND

b. **Experience:** Have received 2,000 hours of training *or* experience under appropriate supervision in performing the services that will be offered to a workers' compensation claimant.

APPLICATION INSTRUCTIONS

Submit application materials in one package to the address indicated above

Form 1. Application

Part I. General Information

In accordance with §54.1-116 of the *Code of Virginia*, you are required to include your Social Security Number, or your *Virginia* Department of Motor Vehicles control number on your application. Applications that lack this information will not be processed, and fees will not be refunded. Federal and state law requires that this number be shared with other agencies for child support enforcement activities. This number will be used by the Department of Health Professions for identification and will not be disclosed for other purposes except as provided for by law.

Part II. Education

You must submit an *official* transcript in a unopened envelope with the Registrar's stamp over the seal to document completion of a baccalaureate degree. If you attended more than one institution, only submit a transcript from the institution which awarded the degree.

Part III. Licensure/Certification

The Board will consider requests for a waiver of the examination requirement for individuals who hold a current license or certificate as a provider of rehabilitation services issued by another state, or by a nationally recognized board, association or commission. For each license or certificate listed, you must submit one copy of **Form 3**.

Part IV. Questions

Applications submitted without answers to any of the four questions in this section will not be processed.

Affidavit

Applications submitted without a signed, notarized affidavit will not be processed.

Form 2. Verification of Experience

Submit one copy of this form for each position that you wish to document. Training, alone or in combination with experience, must add up to 2,000 clock hours.

Part I.

Complete this part of the form and mail it to your supervisor(s) for completion of the remainder. Submit the completed form(s) in the employer's original unopened envelope with the employer's signature across the seal with the rest of your application package.

Part II.

Please review 18 VAC 115-40-27 of the regulations to ensure that your supervisor meets the requirements. Licenses held outside of Virginia must be verified by the licensing jurisdiction using Form 4.

Part III.

Indicate the time period that supervision was provided. Note that under 18 VAC 115-40-22, the traineeship shall not exceed 5 years.

Part IV.

Indicate the type of experience provided. For internships, include a copy of the transcript with the application.

Board of Licensed Professional Counselors, Marriage and Family Therapists
and Substance Abuse Professionals
Rehabilitation Provider Certification
6606 West Broad St., 4th Floor
Richmond, VA 23230-1717

804/662-7328
Board of Licensed Professional Counselors, Marriage and Family Therapists
and Substance Abuse Professionals
Rehabilitation Provider Certification
6606 West Broad St., 4th Floor
Richmond, VA 23230-1717

Part V

If the type of experience consisted of education provided on-the-job, complete this section. Either provide copies of certificates or diplomas, or the signature of the supervisor for each training received.

Part VI

Describe the duties the applicant performed

Part VII

As set forth under 18 VAC 115-40-26, applicants must receive an average of 2 hours of personal instruction a week, for a total of at least 100 hours. Half of the personal instruction must be face-to-face.

Part VIII

Indicate the ability of the applicant to provide rehabilitation services.

Part IX

The supervisor must sign and date the declaration.

Form 3. Verification of Licensure/Certification

Submit one copy of this form for each license or certificate indicated on Form 1. Complete Part I and forward the form to the state or organization that granted the license or certification for completion. Submit the completed verification form(s) with the rest of your application package. **If your license or certificate was granted by one of the boards in the Virginia Department of Health Professions, there is no need to submit Form 3. Your Virginia licensing/certification information can be accessed directly from this office.**

Fee

Include your check or money order for \$100.00 made payable to the Treasurer of Virginia. **The fee is non-refundable.** Applications submitted without the required fee will be returned.

EXAMINATION

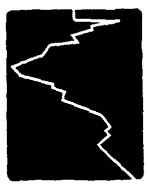
All candidates who are not granted certification by endorsement by the Board will be required to pass an examination. The Board is developing a contract for the examination which is expected to be administered for the first time in Spring, 1998.

CERTIFICATION

Once a report of your passing score on the examination is received (or approval for certification by endorsement), your certificate will be issued. It will take about ten days for your certificate to be processed and mailed. **Copies of certificates cannot be faxed from the Board office.**

rev. 3/98

FORM 1



COMMONWEALTH OF VIRGINIA

BOARD OF LICENSED PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS AND SUBSTANCE ABUSE PROFESSIONALS

Department of Health Professions
6606 West Broad Street, 4th Floor
Richmond, Virginia 23230-1717

APPLICATION FOR CERTIFICATION AS A REHABILITATION PROVIDER

I hereby make application for certification by _____ examination _____ endorsement (refer to 18 VAC 115-40-22 of the regulations) to practice as a **Rehabilitation Provider** in the Commonwealth of Virginia. The following evidence of my qualifications is submitted with a **check or money order** in the amount of \$100.00 made payable to the Treasurer of Virginia. **The application fee is non-refundable.**

PLEASE TYPE OR PRINT			
<p>I. GENERAL INFORMATION. Applications lacking a Social Security or Virginia Department of Motor Vehicles Number will not be processed. This number will be used for identification and will not be disclosed for other purposes except as provided for by law.</p>			
Name (Last, First, M.I., Suffix, Maiden Name)	Date of Birth		
Social Security Number or Virginia DMV number	Home Telephone Number		
Mailing Address (Street and/or Box Number, City, State, ZIP Code)	Business Telephone Number		
Business Name and Address (if different from above)			
<p>II. EDUCATION. Indicate one of the following: (a) The name and location of the college or university where a baccalaureate degree was awarded or (b) Current Virginia RN license number. Applicants documenting a baccalaureate degree must submit with this application official transcripts in the original unopened envelopes as received from the university.</p>			
Educational Institution:	Virginia RN license #:		
Date Degree Conferred:			
<p>III. LICENSE/CERTIFICATION. List all the states or institutions from which you now hold or have ever held a professional license or certificate in order of attainment. For out-of-state licenses or certificates, include Form 3 with your application.</p>			
STATE	LICENSE/CERTIFICATE NUMBER	ISSUE DATE	TYPE OF LICENSE/CERTIFICATE

FORM 1

IV. ANSWER THE FOLLOWING QUESTIONS:

1. Have you ever been denied the privilege of taking an occupational licensure or certification examination? If yes, state what type of occupational examination and where:	YES []	NO []
2. Have you ever had any disciplinary action taken against an occupational license, registration or certification to practice or are any such actions pending? If yes, explain in detail:	[]	[]
3. Have you ever been convicted of a violation of or pled nolo contendere to any federal, state, or local statute, regulation or ordinance or entered into any plea bargaining relating to a felony or misdemeanor? (Excluding traffic violations, except for driving under the influence.) If yes, explain in detail and include your conviction order, sentencing order, and parole officer's report with your application.	[]	[]
4. Have you ever been terminated or asked to withdraw from any health care facility, agency, or practice? If yes, please explain.	[]	[]

V. The following statement must be executed by a Notary Public. *This form is not valid unless properly notarized.*

AFFIDAVIT
(To be completed before a notary public)

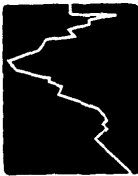
State of _____ County/City of _____

Name _____, being duly sworn, says that he/she is the person who is referred to in the foregoing application for certification to practice as a rehabilitation provider in the Commonwealth of Virginia; that the statements herein contained are true in every respect, that he/she has complied with all requirements of the law, and that he/she has read and understands this affidavit.

Subscribed to and sworn to before me this _____ day of _____, 19____.

Signature of Applicant _____
Signature of Notary Public _____

SEAL



COMMONWEALTH OF VIRGINIA

**BOARD OF LICENSED PROFESSIONAL
COUNSELORS, MARRIAGE AND FAMILY
THERAPISTS AND SUBSTANCE ABUSE
PROFESSIONALS**

Department of Health Professions
6606 West Broad Street, 4th Floor
Richmond, Virginia 23230-1717

**VERIFICATION OF EXPERIENCE FOR
REHABILITATION PROVIDER CERTIFICATION**

This form is to be filled out by the supervisor when supervision is completed.
Submit one form for each supervisor verifying experience.

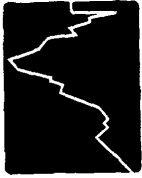
I. APPLICANT INFORMATION (To be completed by applicant)				
Applicant's Name: _____	Social Security or DMV Control Number: _____			
II. SUPERVISOR INFORMATION				
Name: _____	Social Security or Virginia DMV Control Number: _____			
Business Address: _____	Telephone: _____			
Number of years experience in provision of rehabilitation services: _____				
License/Certificate Title (Submit Form 4 if out-of-state)	Number	Issuing State or Agency	Initial Date of License/Certification	Expiration Date
III. PERIOD OF SUPERVISION From: _____ To: _____				
IV. TYPE OF EXPERIENCE APPLICANT RECEIVED UNDER YOUR SUPERVISION				
___ Internship (Applicant must submit an official transcript documenting completion of the internship)				
___ In-Service Training				
___ On-the-Job Experience				

V. DOCUMENTATION OF TRAINING. The regulations define "Training" as "the educational component of on-the-job experience." Copies of certificates or diplomas must be included with this form to document in-service training. If this documentation is not available, the supervisor must verify the training by signature. Training, alone or in combination with work experience must add up to 2,000 clock hours. One C.E.U. is equivalent to one clock hour.

Course or Workshop	Content	Clock Hours	Supervisor's Signature
TOTAL HOURS OF TRAINING: _____			
VI. DOCUMENTATION OF WORK EXPERIENCE Duties performed by applicant under your supervision:			
TOTAL HOURS OF WORK EXPERIENCE: _____			

FORM 3

COMMONWEALTH OF VIRGINIA



BOARD OF LICENSED PROFESSIONAL
COUNSELORS, MARRIAGE AND FAMILY
THERAPISTS AND SUBSTANCE ABUSE
PROFESSIONALS

Department of Health Professions
6606 West Broad Street, 4th Floor
Richmond, Virginia 23230-1717

REHABILITATION PROVIDER VERIFICATION OF LICENSURE/CERTIFICATION

I. TO BE COMPLETED BY VIRGINIA APPLICANT

Name: _____ License/Certificate Number: _____
Address: _____

II. TO BE COMPLETED BY STATE BOARD OR PROFESSIONAL ASSOCIATION

Please complete this form and return it directly to the applicant.

Title of License/Certificate: _____ License/Certificate Number: _____
Issue Date: _____ Expiration Date: _____
By Examination: _____ By Endorsement: _____ By Waiver: _____ By Reciprocity: _____
Date of Examination: _____ Type of Written Examination: _____
Cut-Off Score: _____ Applicant's Score: _____
Has the license/certificate ever been surrendered, suspended, or revoked? [] Yes [] No
If yes, please provide all information available under your state's freedom of information statutes.

Certification by the Authorized Official of the State Board/Association of _____

State of _____

I certify that the information is correct

Authorized Official

SEAL

Date

VII. PERSONAL INSTRUCTION

Hours of personal instruction _____ Total: _____
Hours of personal instruction that was face-to-face: _____ Per week (avg.): _____ Total: _____

VIII. ASSESSMENT OF COMPETENCE

In your opinion, has the applicant demonstrated competency in rehabilitation services sufficient for certification? Yes [] No []
If no, please explain. Include any additional supervision or training that you feel the applicant needs:

IX. DECLARATION: I declare that the the best of my knowledge, the foregoing is true and correct.

Supervisor Signature _____ Date _____

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Department of Health Professions
COMMONWEALTH OF VIRGINIA

RENEWAL NOTICE AND APPLICATION

Telephone:
License, certificate or registration number:



TYPE OF RENEWAL	CURRENT EXPIRATION DATE	CURRENT AMOUNT DUE \$	FROM	RENEWAL PERIOD TO	AMOUNT DUE IF RECEIVED AFTER \$
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C-46434

MAKE CHECKS PAYABLE TO THE "TREASURER OF VIRGINIA"
RETURN PAYMENT AND THE COMPLETED BOTTOM PORTION ONLY IN THE ENCLOSED ENVELOPE
KEEP TOP PORTION FOR YOUR RECORDS

<p>DISCLOSURE OF SOCIAL SECURITY OR VIRGINIA DMV CONTROL NUMBER In accordance with § 54.1-115 of the Code of Virginia, you are required to submit your Social Security Number or your control number issued by the Virginia Department of Motor Vehicles. If you fail to do so, the processing of your application will be suspended and fees will not be refunded. This number will be used by the Department of Health Professions for identification and will not be disclosed for other purposes except as provided for by law. Federal and state law requires that this number be shared with other agencies for child support enforcement activities. If the boxes below are empty, write in your Social Security or Virginia DMV Control Number. If the boxes do contain numbers, please verify that they are correct and make any necessary changes.</p> <p>NO LICENSE, CERTIFICATION OR REGISTRATION WILL BE ISSUED TO ANY INDIVIDUAL WHO HAS FAILED TO DISCLOSE ONE OF THESE NUMBERS.</p> <p>_____ - _____ - _____</p> <p><small>*In order to obtain a Virginia driver's license control number, it is necessary to appear in person at an office of the Department of Motor Vehicles in Virginia. A fee and disclosure of your Social Security Number will be required.</small></p>	<p>INSTRUCTIONS</p> <ol style="list-style-type: none"> 1. Verify Social Security or Virginia DMV Control Number at left. 2. Complete item "A" below if you do not wish to renew. 3. Make any address changes on this application when renewing. 4. Make any name changes on this application and enclose a copy of your marriage license or court order. 5. Note name and license, certificate or registration number on all enclosures. 6. Return the bottom portion of this application in the enclosed envelope. <p>A. <input type="checkbox"/> Check here if you <u>do not</u> wish to renew, and sign below.</p> <p>_____</p> <p style="text-align: right;">Signature</p>
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DETACH HERE

DETACH HERE

THIS BOTTOM PORTION MUST BE RETURNED IN ORDER TO RENEW

Department of Health Professions
Type of renewal:
License, certificate or registration number:

FORM 4
COMMONWEALTH OF VIRGINIA
BOARD OF LICENSED PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS AND SUBSTANCE ABUSE PROFESSIONALS
Department of Health Professions
6606 West Broad Street, 4th Floor
Richmond, Virginia 23230-1717

LICENSE/CERTIFICATION VERIFICATION OF OUT-OF-STATE SUPERVISOR

<p>TO BE COMPLETED BY VIRGINIA APPLICANT</p> <p>Virginia Applicant's Name: _____ SSN or DMV Control Number _____</p> <p>Name of Supervisor: _____</p> <p>Title of Supervisor's License/Certification: _____</p>	<p>TO BE COMPLETED BY OUT-OF-STATE BOARD</p> <p>Please complete this form and return it directly to the Virginia Board of Professional Counselors and Marriage and Family Therapists at the above address. Thank you.</p> <p>License/Certification Number of supervisor named above: _____</p> <p>Title of License/Certification: _____</p> <p>Date of initial license/certification: _____</p> <p>Expiration date of license/certification: _____</p> <p>Is individual licensed/certified in good standing? [] Yes [] No</p> <p>Has there ever been any disciplinary action taken against the individual's license/certification? [] Yes [] No</p> <p>If yes, please give full particulars on the reverse side of this form.</p> <p><i>I certify that the information given is correct.</i></p>
<p>SEAL</p>	<p>Authorized Licensure Official _____</p> <p>Jurisdiction/State _____</p> <p>Date _____</p>

VA.R. Doc. No. R98-84; Filed August 11, 1998, 10:30 a.m.

Final Regulations

TITLE 24. TRANSPORTATION AND MOTOR VEHICLES

COMMONWEALTH TRANSPORTATION BOARD

REGISTRAR'S NOTICE: The Commonwealth Transportation Board has claimed an exemption from the Administrative Process Act in accordance with § 9-6.14:4.1 C 1 of the Code of Virginia, which excludes agency orders or regulations fixing rates or prices. The Commonwealth Transportation Board will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision.

Title of Regulation: 24 VAC 30-620-10 et seq. Rules, Regulations, and Rates Concerning Toll and Bridge Facilities (amending 24 VAC 30-620-30).

Statutory Authority: §§ 2.1-20.01:2, 33.1-8, 33.1-285, and 33.1-292 of the Code of Virginia.

Effective Date: September 30, 1998.

Summary:

The amendments revise the toll rate schedules for the Dulles Toll Road, the Powhite Parkway Extension and the George P. Coleman Bridge, and permit motorcycles equipped with a sidecar, towing a trailer, or equipped with a sidecar and towing a trailer to be charged no higher a rate than that charged for a two-axle vehicle.

Agency Contact: David L. Roberts, Management Services Division, Department of Transportation, 1401 East Broad Street, Richmond, VA 23219, telephone (804) 786-3620.

24 VAC 30-620-30. Rates and delegation of authority to suspend toll collection.

A. The Commonwealth Transportation Commissioner delegates the authority to suspend toll collection operations on the Dulles Toll Road to the Northern Virginia District Administrator, subject to the conditions and criteria outlined in 24 VAC 30-620-20 A and B. At his discretion, the Northern Virginia District Administrator may delegate this authority to others within the district organization. This delegation of authority includes establishing policies and procedures specific to the toll facility governing the investigation and decision-making processes associated with the possible suspension of toll collections. These policies and procedures shall become part of the toll facility's operating plan.

B. 4. The following are the toll rate schedules for the Dulles Toll Road, and remain in effect until the FasToll system is fully implemented.

DULLES TOLL ROAD RATE STRUCTURE			
VEHICLE CLASS	MAIN PLAZA	SULLY ROAD	OTHER RAMPS
Passenger Cars	\$0.50	\$0.35	\$0.25

Passenger Cars w/trailers	\$1.00	\$0.70	\$0.50
Motorcycles	\$0.50	\$0.35	\$0.25
Trucks, two axles, four tires	\$0.50	\$0.35	\$0.25
Trucks, two axles, six tires	\$1.00	\$0.70	\$0.50
Trucks, two axles, w/trailer	\$1.00	\$0.70	\$0.50
Trucks, three or more axles	\$1.00	\$0.70	\$0.50
Trucks, three or more axles, w/trailer	\$1.00	\$0.70	\$0.50
Buses, two axles	\$1.00	\$0.70	\$0.50
Buses, three axles	\$1.00	\$0.70	\$0.50

2. Upon full implementation of the FasToll system, the following are the toll rate schedules for the Dulles Toll Road.

DULLES TOLL ROAD RATE STRUCTURE			
VEHICLE CLASS	MAIN PLAZA	SULLY ROAD	OTHER RAMPS
Two axles ¹	\$0.50	\$0.35	\$0.25
Three axles ²	\$0.75	\$0.60	\$0.50
Four axles	\$1.00	\$0.85	\$0.75
Five axles	\$1.25	\$1.10	\$1.00
Six axles or more	\$1.50	\$1.35	\$1.25

¹ Includes passenger cars, ; motorcycles, ; motorcycles equipped with a sidecar, towing a trailer or equipped with a sidecar and towing a trailer; and trucks (4 and 6 tires).

² Includes trucks, buses, and passenger cars with trailers.

C. The Commonwealth Transportation Commissioner delegates the authority to suspend toll collection operations on the Powhite Parkway Extension Toll Road to the Richmond District Administrator, subject to the conditions and criteria outlined in 24 VAC 30-620-20 A and B. At his discretion, the Richmond District Administrator may delegate this authority to others within the district organization. This delegation of authority includes establishing policies and procedures specific to the toll facility governing the investigation and decision-making processes associated with the possible suspension of toll collections. These policies and procedures shall become part of the toll facility's operating plan.

D. The following are the toll rate schedules for the Powhite Parkway Extension Toll Road.

POWHITE PARKWAY EXTENSION TOLL ROAD MAXIMUM RATE STRUCTURE				
VEHICLE CLASS	MAIN LINE PLAZA	MAIN LINE PLAZA - EAST AND WEST RAMP	RAMP - ROUTE 60	RAMP - COURT-HOUSE ROAD
Two axle vehicles ¹	\$0.75	\$0.25	\$0.25	\$0.50
Three axle vehicles	\$1.00	\$0.35	\$0.35	\$0.60
Four axle vehicles	\$1.25	\$0.45	\$0.45	\$0.70
Five axle vehicles	\$1.50	\$0.55	\$0.55	\$0.80
Six axle vehicles	\$1.50	\$0.55	\$0.55	\$0.80

¹ Includes passenger cars; motorcycles; motorcycles equipped with a sidecar, towing a trailer or equipped with a sidecar and towing a trailer; and trucks (4 and 6 tires).

E. The Commonwealth Transportation Commissioner delegates the authority to suspend toll collection operations on the George P. Coleman Bridge to the Suffolk District Administrator, subject to the conditions and criteria outlined in 24 VAC 30-620-20 A and B. At his discretion, the Suffolk District Administrator may delegate this authority to others within the district organization. This delegation of authority includes establishing policies and procedures specific to the toll facility governing the investigation and decision-making processes associated with the possible suspension of toll collections. These policies and procedures shall become part of the toll facility's operating plan.

F. ~~Effective July 1, 1997,~~ The following are the toll rate schedules for the George P. Coleman Bridge.

GEORGE P. COLEMAN BRIDGE TOLL RATE STRUCTURE	
VEHICLE CLASS ¹	ONE-WAY RATE
Motorcycles ²	\$0.50
Commuter cars, vans, pick-ups	\$0.50
Commuter commercial vans/trucks	\$0.50
Cars, vans, pick-ups	\$2.00
Two-axle, six-tire trucks and buses	\$2.00
Three-axle vehicles and buses	\$3.00
Four or more axle vehicles	\$4.00

¹ Commuter toll rates will be available only via the FasToll system to two axle vehicles making three round-trip crossings within a 90-day period on the George P. Coleman Bridge.

² Includes motorcycles equipped with a sidecar, towing a trailer or equipped with a sidecar and towing a trailer. Motorcycles requesting this rate must use the manual toll collection lanes because the AVI system cannot accommodate the \$0.50 rate.

EMERGENCY REGULATIONS

TITLE 18. PROFESSIONAL AND OCCUPATIONAL LICENSING

DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION

Title of Regulation: **18 VAC 120-40-10 et seq. Professional Boxing and Wrestling Event Regulation.**

Statutory Authority: § 54.1-831 of the Code of Virginia.

Effective Dates: August 11, 1998, through August 10, 1999.

Statement that the Emergency Regulation is Necessary And the Reason for the Emergency Regulation:

Senate Bill 157 (Chapter 895) was passed by the 1998 Session of the Virginia General Assembly and signed by Governor Gilmore. It repealed Chapter 8 of Title 54.1 of the Code of Virginia and established Chapter 8.1 of Title 54.1 of the Code of Virginia on July 1, 1998. The Director of the Department of Professional and Occupational Regulation is mandated by § 54.1-831 (1) of the Code of Virginia to promulgate regulations which implement the federal Professional Boxing Safety Act of 1996 and protect the public against incompetent, unqualified, unscrupulous or unfit persons engaging in the regulated activities. The Director is clearly mandated to promulgate regulations implementing seven specific requirements. No authority to exercise discretion is provided.

The emergency regulation is necessary to address a situation involving an imminent threat to the public health and safety, and to implement regulations which Virginia statutory law requires to be in effect in fewer than 280 days from the date of enactment.

i. No regulatory program currently exists to enable those involved in professional boxing and wrestling to lawfully pursue their careers. Some will decide to conduct boxing and wrestling events unlawfully and the participants in those illegal events will not have the protections provided by the statutory law through lawfully promulgated regulations. Boxing and wrestling events, especially boxing events, require significant regulatory oversight by highly skilled and experienced referees, ringside physicians and other officials to protect the safety of the participants. Illegal matches will not have that skilled oversight and significant injury, even death, can occur. Audiences witnessing illegal events are unlikely to know of their illegal status and may be traumatized as the result of witnessing a serious injury or death. A threat to the public exists and is imminent.

ii. Chapter 895 was signed by Governor Gilmore on May 20 and mandates the Director of the Department of Professional and Occupational Regulation to promulgate regulations to implement the program. There are no existing regulations. These regulations should have been in effect no later than July 1, 1998 (the effective

date of the statutory law). This, when considered along with the absence of previously existing regulations through which the program may be operated, makes a clear and explicit mandate on the Director to promulgate regulations in fewer than 280 days from the enactment of the statutory law. This regulation is not exempt under subdivision C4 of Section 9-6.14:4.1.

PART I. SCOPE.

18 VAC 120-40-10. Scope.

These regulations contain procedures and requirements for the licensure of individuals and firms to engage in the conduct of professional boxing and wrestling events as provided for in Chapter 8.1 of Title 54.1 of the Code of Virginia.

Amateur boxing and wrestling contests, where the participants receive no money, compensation, or reward other than a suitably inscribed memento are exempt from the provisions of Chapter 8.1 of Title 54.1 of the Code of Virginia and from the provisions of these regulations.

The director of the department is empowered to promulgate these regulations, to issue licenses, to investigate to determine compliance with these regulations, and to take disciplinary action, in accordance with the Virginia Administrative Process Act, against those who fail to comply with these regulations. Furthermore, to the extent applicable, these regulations shall be construed in accordance with, and governed by, Virginia's Administrative Process Act. The director is also empowered to contract with a vendor to perform certain tasks on the director's behalf. These tasks include examining and recommending licensure, investigating and ensuring that events are conducted in compliance with statutes and regulations, performing clerical duties, collecting fees, maintaining records, developing proposed regulations, and recommending enforcement actions.

The director is empowered by Chapter 8.1 of Title 54.1 of the Code of Virginia to conduct investigations as to whether monopolies, combinations, or other circumstances exist to restrain matches or exhibitions of professional boxing or wrestling.

All licenses issued after January 1, 1998 and before June 30, 1998, pursuant to former Chapter 8 of Title 54.1, shall remain valid until December 31, 1998.

PART II. GENERAL.

18 VAC 120-40-20. Definitions.

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

"Boxer" means a person competing in the sport of boxing.

"Boxer registry" means an entity that maintains records and identification of boxers.

“Boxing” means the contact sport of attack or defense using fists, feet, or both, including professional kick boxing, boxing, or any similar contest.

“Cable television system” means any facility consisting of a set of closed transmission paths and associated equipment designed to provide video programming to multiple subscribers when subscriber interaction is required to select a specific video program for an access fee established by the cable television system for that specific video program.

“Contest,” “bout,” or “match” means the portion of an event wherein specific individuals (two boxers, or two or more wrestlers) engage in boxing or wrestling which ends when a decision is reached.

“Contractor” means any person who has entered into a contract with the department to provide services to assist the Commonwealth in complying with the provisions of this chapter.

“Department” means the Department of Professional and Occupational Regulation or its successor.

“Director” means the Director of the Department of Professional and Occupational Regulation.

“Event” means any professional boxing or wrestling show that includes one or more contests or matches.

“Event officials” means those individuals assigned to carry out the duties of an event inspector, inspector, referee, timekeeper, judge, or ringside physician as established by this chapter.

“Event inspector” means the individual assigned to be in overall charge of the conduct of an event to assure compliance with this chapter.

“Event license” means a method of regulation whereby any promoter arranging or conducting a boxing or wrestling event is required to obtain a prior authorization from the department.

“Inspector” means the individual assigned to assist the event inspector as provided for in this chapter.

“Judge” means an individual assigned to score a boxing contest as provided for in this chapter.

“License” means a method of regulation whereby any person arranging, conducting, or participating in boxing or wrestling activities is required to obtain a prior authorization from the department.

“Licensed event” means an event that has been issued a license in accordance with this chapter from the department.

“Manager” means any person who receives compensation for services as a representative or agent of a boxer or wrestler to arrange for his participation in an event.

“Matchmaker” means any person who selects, arranges for, or in any manner procures specific individuals to be contestants in an event or match.

“Person” means a natural person, corporation, partnership, sole proprietorship, firm, enterprise, franchise, association, or any other entity.

“Promote” or “promotion” means to organize, arrange, publicize, or conduct an event in the Commonwealth.

“Promoter” means any person who undertakes to promote an event.

“Rabbit punch” means a blow delivered by a boxer against his opponent that strikes the back of the opponent’s neck with a chopping motion.

“Referee” means the event official assigned to a boxing contest to assure the proper conduct of the contest and the safety of the contestants or the licensed wrestler assigned to a wrestling contest to assure the safety of the spectators as provided for in this chapter.

“Responsible management” means the following individuals:

1. The sole proprietor of a sole proprietorship
2. The partners of a general partnership
3. The managing partners of a limited partnership
4. The officers of a corporation
5. The managers of a limited liability company
6. The officers and directors of an association

“Ringside physician” means the medical doctor assigned to assure the medical health and safety of each boxer as provided for in this chapter.

“Task force” means the professional boxing and wrestling task force.

“Timekeeper” means the individual assigned to time each round and the interval between rounds, and to count for knockdowns as provided for in this chapter.

“Trainer,” “second,” or “cutman” means an individual who undertakes to assure the well-being of a boxer by providing instruction or advice concerning techniques or strategies of boxing, and who may work in the corner with a boxer between the rounds of a match to assure his well-being and provide necessary equipment and advice concerning match participation.

“Wrestler” means any person competing or participating as an opponent in wrestling.

“Wrestling” means any contact sport or exhibition in which individuals attempt to subdue or unbalance an opponent.

18 VAC 120-40-30. License required.

A. No individual shall engage or offer to engage in the activities of a boxer, manager, matchmaker, promoter, trainer, second, cutman, or wrestler, as defined in Chapter 8.1 of Title 54.1 of the Code of Virginia, without first possessing a valid license therefor.

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B. No person shall promote or conduct a boxing or wrestling event without first having obtained a license for such event.

18 VAC 120-40-40. License expiration and renewal.

A. Except as set out in B of this section, each license issued to an individual or to a firm shall expire on December 31 of the year wherein issued, except that licenses issued during the last 45 days of any calendar year shall expire on December 31 of the following calendar year.

B. Each license to conduct a boxing or wrestling event issued to a licensed promoter shall be valid only for the duration of the event described in the application for licensure.

C. The department or its contractor will mail a renewal notice to the licensee at the last known address. The notice shall outline the procedures for renewal and the renewal fee amount. Failure to receive the notice shall not relieve the licensee of the obligation to renew.

D. Prior to the expiration date shown on the license, each licensee desiring to renew the license shall return to the department or its contractor the renewal notice and the fee specified in 18 VAC 120-40-50. Should the licensee fail to receive the renewal notice, a copy of the current license may be submitted with the required fee.

18 VAC 120-40-50. Fees.

A. Each applicant shall submit the following fee along with the application for licensure:

Boxer	\$20
Wrestler	\$20
Manager	\$30
Promoter	\$300
Trainer, second, and cutman	\$20
Matchmaker	\$50

B. Each application for a boxing event license shall be accompanied by the following fee:

1. Events of 42 rounds or fewer, with no more than one non-title 10 or 12 round bout - \$850
2. Events exceeding 42 rounds, with more than one non-title 10 or 12 round bout or with a title bout - \$2000

C. Each application for a wrestling event license shall be accompanied by a fee of \$50.

18 VAC 120-40-60. Professional boxing and wrestling task force.

A. The director may appoint a professional boxing and wrestling task force, consisting of four members, which shall advise the director on any matters relating to professional boxing and wrestling events in the Commonwealth.

B. The task force shall be composed of two representatives of the sports of boxing or wrestling, and two citizen members as defined in Sections 54.1-107 and 54.1-200 of the Code of Virginia. All members shall be residents of the Commonwealth.

C. Each task force member shall serve a four-year term, except that of the initial appointments, one shall be for two years, and one shall be for three years. No member shall serve more than two consecutive four-year terms.

PART III.

INDIVIDUAL AND EVENT LICENSING STANDARDS.

18 VAC 120-40-70. General.

A. Individuals and firms desiring to be issued a license shall apply on forms supplied by the department or its contractor.

B. Individual applicants shall be at least 18 years of age.

C. The application shall be completed according to the instructions provided with the application. Incomplete applications will be returned to the applicant. Fees shall remain valid for 90 days and shall not be refunded.

D. The applicant shall disclose the following information about himself, in the case of an individual, or about the firm and every member of the responsible management of the firm, in the case of a firm:

1. Any guilty finding by the department, or by a court of any competent jurisdiction, of any material misrepresentation while engaged in boxing, wrestling, or other athletic activities, or any conviction, guilty plea or finding of guilty, regardless of adjudication or deferred adjudication, of any felony or misdemeanor which, in the judgment of the department, adversely affects the applicant's ability while engaged in boxing, wrestling, or other athletic activities;
2. Any disciplinary action taken by the department or another jurisdiction in connection with the applicant's participation in or promotion of professional athletic contests or activities, including but not limited to, monetary penalty, fine, suspension, revocation, or surrender of a license in connection with a disciplinary action; and
3. Any currently or previously held boxing or wrestling licenses issued by this Commonwealth or any other jurisdiction.

Any plea of *nolo contendere* shall be considered a conviction for the purposes of this subsection. A certified copy of a final order, decree or case decision by a court or regulatory agency with the lawful authority to issue such order, decree or case decision shall be admissible as *prima facie* evidence of such conviction or discipline.

E. Each individual applicant shall disclose his physical address and each firm applying for licensure shall disclose the physical addresses of the firm and the firm's responsible

management. A post office box shall not be accepted in lieu of a physical address.

F. The fee established by 18 VAC 120-40-50 A shall accompany the application and shall not be refunded.

G. The receipt of an application and the deposit of fees in no way indicates approval by the department.

18 VAC 120-40-80. Entry requirements for boxer.

A. Each applicant for a license as a boxer shall submit a completed application, as described in 18 VAC 120-40-70, and the following:

1. A satisfactory record of professional boxing or, in the case of applicants who have participated in fewer than 10 professional boxing bouts, evidence of competency in the elements of offense and defense. Such evidence may take the form of signed statements from individuals who have provided training to the applicant or records of the applicant's conduct in amateur as well as professional boxing competition and shall be sufficient to satisfy the department that the applicant has the ability to compete; and

2. A list of all ring names under which the applicant has competed as a boxer in this Commonwealth or elsewhere.

B. All licenses issued by the department shall conform with the standards established by the Professional Boxing Safety Act of 1996, United States Code Title 15. Commerce and Trade, Chapter 89 - Professional Boxing Safety.

18 VAC 120-40-90. Entry requirements for wrestler.

A. Each applicant for a license as a wrestler shall submit a completed application, as described in 18 VAC 120-40-70, and a signed statement from a licensed physician that the applicant is in good physical health and has no abnormalities or deficiencies which would prevent his participation in a wrestling event or endanger the applicant's health when engaging in a wrestling exhibition.

B. The department may deny the application for a license as a wrestler to any applicant who has suffered a serious head injury or other serious physical injury, and may, in any case, require an additional, specific medical examination to determine the applicant's suitability before approving the applicant for licensure as a wrestler.

C. The department may deny the application for a license as a wrestler of any applicant, or suspend or revoke the license as a wrestler of any licensee who has been subject to the following actions by agencies in other jurisdictions that regulate wrestling:

1. Denial or suspension of a license as a wrestler for reasons of medical safety when it has been determined by competent medical examination that participation in a wrestling event by the applicant may pose a risk to the applicant's health; or

2. A violation of a law or regulation governing wrestling which is substantially the same as that found in Chapter 8.1 of Title 54.1 of the Code of Virginia or in this chapter.

18 VAC 120-40-100. Entry requirements for manager.

Each applicant for a license as a manager shall submit a completed application, as described in 18 VAC 120-40-70, and a statement that the applicant possesses a knowledge of this chapter.

18 VAC 120-40-110. Entry requirements for matchmaker.

Each applicant for a license as a matchmaker shall submit a completed application, as described in 18 VAC 120-40-70, and a statement that the applicant does not employ and does not otherwise have a financial interest in or commercial connection with any wrestler, boxer, manager, trainer, or second, except that which may be necessary to arrange a wrestler's or boxer's participation in a specific event.

18 VAC 120-40-120. Entry requirements for promoter.

Each applicant for a license as a promoter shall submit a completed application, as described in 18 VAC 120-40-70, and a statement that the applicant possesses a knowledge of this chapter.

18 VAC 120-40-130. Entry requirements for trainer, second, or cutman.

Each applicant for a license as a trainer, second, or cutman shall submit a completed application, as described in 18 VAC 120-40-70, and evidence of a knowledge of:

1. These regulations;
2. The treatment of injuries;
3. Physical conditioning, health care, nutrition, training, first aid, and the effects of alcohol as it relates to boxing; and
4. The bandaging of a boxer's hand.

The required evidence may take the form of the applicant's official record from a state regulatory agency, signed statements from current or former clients, or other documentary evidence that establishes that the applicant is competent.

PART IV. OFFICIAL APPROVAL AND CONDUCT STANDARDS FOR EVENTS.

18 VAC 120-40-140. Requirements for approval to act as a boxing event inspector, inspector, referee, judge, or timekeeper.

To qualify to act on the department's behalf as an event inspector, inspector, referee, judge, or timekeeper of boxing contests, a person must:

1. Be at least 18 years of age;
2. Not have been convicted or found guilty, regardless of adjudication, of any felony or other crime involving

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lying, cheating or stealing, or involving illegal drugs or other acts involving the sport of boxing. Any plea of *nolo contendere* shall be considered a conviction for the purposes of these regulations. The record of conviction, authenticated in such form as to be admissible as evidence under the laws of the jurisdiction where convicted, shall be admissible as *prima facie* evidence of such conviction; and

3. Submit verifications from three persons of his proficiency as an event inspector, inspector, referee, judge, or timekeeper, whichever is appropriate. Evidence of approval by the department, its contractor, or another jurisdiction with a regulatory program substantially equivalent to this chapter, may be submitted in lieu of the verifications from three persons.

18 VAC 120-40-150. Requirements for approval of boxing ringside physicians.

To qualify to act on the department's behalf as a boxing ringside physician, an applicant must:

1. Provide evidence of licensure by the Virginia Board of Medicine as a physician for a period of at least five years; and
2. Provide evidence of a current certification in cardiopulmonary resuscitation.

18 VAC 120-40-160. Assignment to boxing event and payment for services of event officials.

A. The department or its contractor shall assign a sufficient number of event officials to each licensed boxing event who shall discharge the duties established in this chapter and to assure compliance with Chapter 8.1 of Title 54.1 of the Code of Virginia and this chapter.

B. Event officials not assigned to a licensed event shall be present at the event only upon payment of admission as a spectator.

18 VAC 120-40-170. Duties of boxing event inspectors.

A. An event inspector shall be assigned by the department or its contractor to each boxing event and shall be in overall charge of the conduct of the event and shall assure that all assigned inspectors, referees, timekeepers, judges, and ringside physicians are present and perform their duties.

B. The event inspector shall officiate at weigh-in to assure that all boxers are properly weighed and licensed, and shall assure that the boxers have no weights or other objects which could influence the accuracy of the weighing.

C. The assigned event inspector shall assure compliance with Chapter 5.1 of Title 54.1 of the Code of Virginia and this chapter.

18 VAC 120-40-180. Duties of boxing inspectors.

A. Inspectors shall be assigned to each event to assist the event inspector in the discharge of his duties.

B. Inspectors shall be assigned by the event inspector to be in charge of the dressing room and the corners, and shall accompany the boxers to the corner. An inspector shall remain in each corner and assure compliance with this chapter.

C. An inspector shall assist the event inspector during the weigh-in and the ringside physician during the physical examination.

D. Inspectors shall perform other duties as assigned to assure compliance with this chapter.

18 VAC 120-40-190. Duties of boxing referees.

An assigned referee shall perform the following duties before, during, and after each assigned contest:

1. Provide the pre-fight instructions to boxers;
2. Assure that each boxer is properly gloved and wearing the required safety equipment;
3. Exercise supervision over the conduct of the contest to assure compliance with this chapter and to take immediate corrective action when a failure to comply is observed;
4. Immediately stop any contest when, in his judgment, one of the boxers is out-classed by the other, is injured, or otherwise unable to safely continue to participate in the contest;
5. Endeavor to perform his duties in a manner which does not impede the fair participation of either boxer;
6. Consult, when he feels it appropriate, with the ringside physician on the advisability of stopping the contest if either boxer appears injured or unable to continue;
7. Count for knockdowns and knockouts as provided for in 18 VAC 120-40-340;
8. Determine fouls and stop contests as provided in 18 VAC 120-40-350;
9. Immediately stop any contest and notify the department's representative or contractor present at the event if one or both of the boxers is not putting forth their best efforts; and
10. Assure the health and well-being of the boxers to the greatest extent possible.

18 VAC 120-40-200. Duties of boxing judges.

An assigned boxing judge shall perform the following duties before, during, and after each assigned contest:

1. Score each contest on the ten-point system. The better boxer of each round shall receive ten points and the opponent proportionately less. If the round is even, assign each boxer ten points. No fractional points shall be given. Points shall be awarded immediately after the end of the round;

2. Be present and attentive during the entire contest;
3. Provide his scorecards to the event inspector or his designee at the end of each round; and
4. Report to the event inspector or his designee promptly at the time directed.

18 VAC 120-40-210. Duties of boxing timekeepers.

An assigned boxing timekeeper shall perform the following duties before, during, and after each assigned contest:

1. Provide a chronometer of a type suitable for timing the rounds of a boxing contest;
2. Assure that a warning is sounded ten seconds before the start of each round by blowing a whistle or other sound easily heard by the boxers and distinct from the sound signaling the beginning and end of each round;
3. Assure that each round and the interval between each round is correctly and uniformly timed and that a bell or gong with a distinctive tone which is easily heard by the boxers is sounded at the beginning and end of each round;
4. Assist the referee in the counting for a knockdown to assure the downed boxer receives the correct amount of time allowed by this chapter to return to the contest; and
5. Report to the event inspector or his designee promptly at the time directed.

18 VAC 120-40-220. Duties of ringside physicians.

The assigned ringside physician shall perform the following duties before, during, and after each assigned contest:

1. Conduct a physical examination of each boxer immediately before the contest to assure his or her fitness to compete. In addition, for female boxers, examine the breasts and note any masses, determine whether she is experiencing her menstrual period, and obtain her verbal assurance that she is not pregnant. A pregnancy test may be conducted if the ringside physician determines it is necessary to assure the health and safety of the boxer;
2. Report to the event inspector or his designee promptly at the time directed and remain at ringside during the entire duration of all contests assigned;
3. Signal the referee immediately in the event an injury is observed which the referee has not observed and enter the ring only after the referee has stopped or suspended the contest;
4. Render immediate medical aid to any boxer injured during a contest and, where appropriate, accompany the boxer to the hospital or other place where competent medical aid may be delivered. In no case shall the assigned ringside physician cease the direct application of his skills as a physician to an injured boxer until such time as the ringside physician, in his best medical judgment, determines that his services are no longer

necessary or the injured boxer is under the care of other medically competent individuals;

5. Assure all substances in the possession of seconds, trainers, or cutmen are appropriate for use on boxers during the course of the contest; and

6. Report immediately to the department or its contractor his determination of the fitness of each boxer to participate in the boxing contest. A written report summarizing the results of his examination of each boxer shall be provided to the department or its contractor within 24 hours after the date of the licensed boxing event.

PART V.

EVENT LICENSING AND CONDUCT STANDARDS.

18 VAC 120-40-230. Application for a license to conduct a boxing or wrestling event.

A. At least 14 days before the date of any boxing or wrestling event in the Commonwealth, the licensed promoter desiring to conduct said event shall deliver an application for a license to conduct a boxing or wrestling event to the department or its contractor. The application shall be on forms provided by the department and shall:

1. Contain the card of boxing or wrestling contests to be exhibited, including the name of each contestant, and, in the case of a boxing contest, the number of rounds each is scheduled to compete. The promoter may modify the card at any time up to the day of the event by providing the required documents for the additions to and notice of the deletions from the card which accompanied the application;
2. The date, location, and time of the event for which a license is sought;
3. Evidence that all boxers scheduled to compete are covered by a health insurance policy to cover medical expenses for injuries incurred during the boxing event which shall have a minimum of coverage of \$5,000;
4. File a surety bond with the department or its contractor conditioned on the payment of gate fees and penalties imposed by Chapter 8.1 of Title 54.1 of the Code of Virginia and on the fulfillment of contracts made with boxers and wrestlers. The bond shall be in form and substance satisfactory to the department and in an amount equal to the sum of (i) the total gate fee required by this Chapter if all seats were to be sold and (ii) the total amount due to all boxers and wrestlers for their appearance in the event, but shall not exceed \$100,000. The bond shall be executed by a surety authorized to do business in the Commonwealth.
5. Acknowledgment that the boxing promoter will provide a copy of the contract between the promoter applying for an event license and each licensed boxer at weigh-in. No contract shall be required from wrestling promoters;

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6. A copy of each contract by the promoter for the sale of rights to distribute in any manner such event by any video, telephonic, or other communication method involving the control of electrons or other charge carriers; and

7. A statement that the applicant has read and understands these regulations and will conduct the event in full compliance with same.

B. In no case shall the applicant for an event license announce or advertise, either directly or indirectly, the event to the public until the department has approved the application and issued the event license.

18 VAC 120-40-240. Equipment to be provided by boxing promoters.

The promoter shall assure that each event shall have the following:

1. A boxing ring which shall be in the shape of a square not less than 16 feet nor more than 24 feet on each side within the ropes. The ring floor must extend at least 18 inches beyond the ropes and shall be padded with ensolite or another similar closed-cell foam. Padding must extend beyond the ring ropes and over the edge of the platform, with a top covering of canvas, duck, or similar material tightly stretched and laced to the ring platform. Material that tends to gather in lumps or ridges shall not be used. The ring platform shall not be more than five feet above the floor of the building, and shall be provided with suitable steps for use by contestants. Ring posts shall be of metal, not more than three inches in diameter, extending from the floor of the building to a height of 58 inches above the ring floor. The ring posts must be at least 18 inches away from the ropes. There shall be four ring ropes, not less than one inch in diameter and wrapped in soft material. The lower rope shall be 18 inches above the ring floor;

2. A bell or gong located at the ring no higher than the floor level of the ring. The bell or gong must produce a clear tone easily heard by the contestants;

3. Dressing rooms adequate in number and equipment to reasonably facilitate the boxer's or wrestler's activities before and after the contest. Separate dressing rooms shall be provided when both male and female boxers or wrestlers are scheduled to compete;

4. A fully equipped ambulance with a currently trained ambulance crew at the site of any boxing event for the entire duration of the event;

5. A notice to the nearest hospital and the persons in charge of its emergency room of the date, time, and location of the boxing event;

6. Boxing gloves of at least ten ounces for all contestants; except that during all championship bouts, boxers weighing under 147 pounds shall wear at least eight ounce gloves; and

7. Boxing gloves shall have the distal portion of the thumb attached to the body of the glove so as to minimize the possibility of injury to the opponent's eye and shall, if not new, be whole, clean and in sanitary condition with no displacement or lumping of the padding material. Gloves shall be inspected by the event inspector or his designee before each contest and those found defective shall be replaced before the contest begins.

18 VAC 120-40-250. Promoter to provide copy of contract with boxer at weigh-in, penalty for non-compliance, contents of contract.

A. The promoter shall provide a copy of his contract with each boxer scheduled to compete in the event to the event inspector at the time of weigh-in for the event.

B. Failure to provide a copy of the contract for a boxer at weigh-in shall result in the boxer's disqualification to compete in the event.

C. Each contract shall contain the name of the promoter, the name of the boxer, and the amount of compensation to be paid to the boxer by the promoter.

18 VAC 120-40-260. Equipment to be provided by boxing seconds.

Each boxing second shall provide the following equipment for use at the event:

1. A clear plastic water bottle;
2. A bucket containing ice;
3. A solution of a kind approved by the ringside physician to stop hemorrhaging;
4. Adhesive tape;
5. Gauze;
6. Scissors; and
7. One extra mouthpiece.

18 VAC 120-40-270. Equipment to be provided by each boxer.

Each boxer shall provide the following equipment:

1. Trunks for male boxers, and trunks and upper body covering for female boxers;
2. Foul-proof groin protector (males) or foul-proof pelvic girdle and foul-proof breast protector as a binder (females);
3. A mouth piece properly fitted to each boxer's mouth;
4. Boxing shoes;
5. Foot pads - kick boxers only; and
6. Shin pads - kick boxers only.

18 VAC 120-40-280. Contest approval, request for reconsideration.

A. The event inspector assigned to an event shall obtain information on each boxer from a boxer registry and examine that information, the results of the ringside physician's examination, and any other pertinent information available to determine, to the extent possible, that both contestants are substantially equal in boxing skill and ability, and are medically fit to compete. No contest shall take place without the approval of the event inspector and the ringside physician assigned to the event by the department or its contractor.

B. No boxer shall participate in a boxing contest who has:

1. Been knocked out in the 60 days immediately preceding the date of the contest;
2. Been technically knocked out in the 30 days preceding the date of the contest;
3. Been a contestant in a boxing bout during the 15 days preceding the date of the contest;
4. Suffered a cerebral hemorrhage;
5. Suffered a serious head injury or other serious physical injury. The department or its contractor may require an additional, specific medical examination to determine the boxer's suitability; or
6. Been found to be blind in one eye or whose vision in one eye is so poor that a physician recommends the boxer not participate in a boxing contest.

C. No boxer shall participate in a boxing contest while under a suspension from the boxing commission of another jurisdiction of the United States due to:

1. A recent knockout or series of consecutive losses;
2. An injury, requirement for a medical procedure, or physician denial of eligibility to box;
3. Failure of a test for drugs or controlled substances; or
4. The use of false aliases, or falsifying, or attempting to falsify, official identification cards or documents.

D. Any promoter or boxer may request a reconsideration by the director of the event inspector's decision by immediately providing in writing additional information or contradictory evidence concerning the boxer's skill, ability, or medical fitness.

E. A boxer who is suspended by a boxing commission of another jurisdiction of the United States may be allowed to box if:

1. The boxer was suspended for a knockout, technical knockout, series of consecutive losses, an injury, a requirement of a medical procedure, or physician denial of certification and the time interval for knockouts and technical knockouts in subsection B above has been met and further proof of sufficiently improved medical or physical condition has been furnished;

2. The boxer was suspended for the failure of a drug test or the use of false aliases, or falsifying or attempting to falsify, official identification cards or documents and that a suspension was not, or is no longer, merited by the facts;

3. The boxer was suspended for any reason other than those mentioned in 18 VAC 120-40-280 E 1 and 18 VAC 120-40-280 E 2 and the department or the department's contractor notifies the suspending commission in writing and consults with the designated official of the suspending commission prior to the grant of approval for such boxer to participate in a boxing contest; or

4. The boxer was suspended for any reason other than those mentioned in 18 VAC 120-40-280 E 1 and 18 VAC 120-40-280 E 2 and the boxer's appeal to the Association of Boxing Commissions results in a determination that the suspension was without sufficient grounds, was for an improper purpose, or was not related to the health and safety of the boxer or the purposes of the federal Professional Boxing Safety Act of 1996.

F. Each boxer shall compete only with a boxer within the same weight classification as specified in the following schedule:

- Mini-Flyweight up to 105 pounds
- Light-Flyweight over 105 to 108 pounds
- Flyweight over 108 to 112 pounds
- Junior Bantamweight over 112 to 115 pounds
- Bantamweight over 115 to 118 pounds
- Junior Featherweight over 118 to 122 pounds
- Featherweight over 122 to 126 pounds
- Junior Lightweight over 126 to 130 pounds
- Lightweight over 130 to 135 pounds
- Junior Welterweight over 135 to 140 pounds
- Welterweight over 140 to 147 pounds
- Junior Middleweight over 147 to 154 pounds
- Middleweight over 154 to 160 pounds
- Super Middleweight over 160 to 168 pounds
- Light-Heavyweight over 168 to 175 pounds
- Cruiserweight over 175 to 190 pounds
- Heavyweight over 190 pounds

G. No boxer may engage in a boxing contest without the approval of the department or the department's representative if the difference in weight between the contestants exceeds the allowance shown in the following schedule:

- up to 118 pounds not more than 3 pounds
- 118 pounds - 126 pounds not more than 5 pounds
- 126 pounds - 135 pounds not more than 7 pounds
- 135 pounds - 147 pounds not more than 9 pounds
- 147 pounds - 160 pounds not more than 11 pounds
- 160 pounds - 175 pounds not more than 12 pounds
- 175 pounds - 190 pounds not more than 20 pounds
- 190 pounds and over, no limit.

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18 VAC 120-40-290. Boxing event conduct standards.

A. Bandaging of each boxer's hands shall not exceed one winding of surgeon's adhesive tape, not over 1½ inches wide, placed directly on the hand to protect the part of the hand near the wrist. The tape may cross the back of the hand twice but may not extend within three-fourths of an inch of the knuckles when the hand is clenched to make a fist. Soft surgical bandage not over two inches wide, held in place by not more than six feet of surgeon's adhesive tape for each hand shall be used. Up to one 15-yard roll of bandage may be used to complete the wrappings for each hand. Strips of tape may be used between the fingers to hold down the bandages. Bandages shall be adjusted in the dressing room in the presence of the event inspector or his designee.

B. Any boxer who has signed a contract to box on a promoter's program shall be subject to be called by the department to appear at any time to be weighed or to be examined by a physician designated by the department when the department has reason to believe the boxer may not be qualified or may not be medically sound to participate in the contest.

C. Each boxer who signs a contract to box on a promoter's program shall appear at a time and place designated by the department or its contractor to be weighed on department-approved scales in the presence of each other, and a representative designated by the department. Boxers shall have all weights removed from their bodies before the weigh-in but may wear shorts in the case of males, and shorts and shirts in the case of females.

D. Each boxer shall be examined immediately before the contest by a ringside physician assigned to the event and shall not participate in the contest unless pronounced medically able to compete by the ringside physician.

18 VAC 120-40-300. Access to boxer's dressing rooms.

On the day of a contest, only the following individuals are allowed in the dressing room of a boxer:

1. The boxer's manager;
2. The boxer's trainers, seconds, or cutmen;
3. The promoter's representatives;
4. Any representative of the department or its contractor in the conduct of their official duties; and
5. Any representative of a law enforcement agency of competent jurisdiction while discharging his official duties.

18 VAC 120-40-310. Referee's instructions to boxing contestants.

The referee shall, before starting a contest, ascertain from each boxer the name of his chief second, and shall hold the chief second responsible for the conduct of the assistant seconds during the progress of the contest. The referee shall call contestants together before each bout for final instructions, at which time each contestant shall be accompanied by his chief second only.

18 VAC 120-40-320. Number and conduct of seconds.

1. No contestant may have more than four seconds, except that in a contest for a world title, the department or its contractor may authorize five seconds.

2. Only one of the seconds may be inside the ring ropes between rounds.

3. Any excessive or undue spraying or throwing of water on any boxer by a second between rounds is prohibited.

4. Seconds shall not enter the ring until the bell signals the end of a round. Seconds shall leave the ring at the sound of the timekeeper's warning that ten seconds remains before the start of the next round, removing all buckets, stools and other equipment promptly.

5. Seconds shall not use during any contest Monsol's solution, alcoholic beverages, stimulants, or other substances not approved by the department or its contractor.

18 VAC 120-40-330. Duration of round.

Each round of boxing shall be three minutes in duration with a one-minute lapse between rounds, except that bouts between female boxers shall consist of two-minute rounds with a one-minute lapse between rounds.

18 VAC 120-40-340. Counting by referee during knockdowns and knockouts.

A. A boxer who is knocked from his feet by a blow from his opponent shall receive a count of ten seconds from the referee. The referee shall begin his count when the boxer is down or is helpless on the ropes.

B. A boxer who leaves the ring during a round for any reason shall have a count of 20 seconds to reenter the ring unassisted.

C. The referee shall administer a "mandatory eight" count to a boxer who is knocked down.

D. The referee shall rule as a knock out any count of ten where the boxer is unable or unwilling to reenter the contest before the count of ten or, in the case of a boxer who has left the ring for any reason, before the count of 20. The opponent of the boxer so counted shall win the contest.

18 VAC 120-40-350. Boxing fouls, duties of referee, and deduction of points.

A. Any of the following acts committed by a boxer during a boxing contest shall constitute a foul:

1. Hitting below the belt.
2. Hitting an opponent who is down or is getting up after being down.
3. Holding an opponent with one hand and hitting with the other.
4. Holding or deliberately maintaining a clinch.
5. Wrestling or kicking.

6. Striking an opponent who is helpless as a result of previous blows and so supported by the ropes that he does not fall after being instructed by the referee to a neutral corner.

7. Butting with the head or shoulder or using the knee.

8. Hitting with the open glove, the butt of the hand, the wrist or the elbow, and all backhand blows.

9. Purposely going down without being hit.

10. Striking deliberately at that part of the body over the kidneys.

11. Deliberately using the rabbit punch.

12. Jabbing the opponent's eyes with the thumb of the glove.

13. Using abusive language in the ring.

14. Engaging in any unsportsmanlike trick or action which causes injury to an opponent.

15. Hitting on the break.

16. Hitting after the bell has sounded signaling the end of the round.

17. Hitting an opponent whose head is between or outside of the ropes.

18. Pushing an opponent about the ring or into the ropes.

B. Referees are responsible for enforcing the rules of the contest and shall not permit fouls or other unfair practices which may cause an injury to a boxer. Referees shall warn each boxer who commits a foul during a boxing contest.

C. Any boxer who commits any foul after being warned by the referee may have points deducted by the referee or may lose the contest by disqualification by the referee.

D. Boxers who commit fouls or any other infraction, may be penalized by the referee through the deduction of points from his score. The number of points to be deducted shall be determined by the referee based on his determination of the severity of the foul and its adverse effect on the opponent and shall be reported to the judges and both contestants as soon as practical. The points shall be deducted from the score of the round in which the fouls were committed.

E. The referee shall stop a contest when he determines that a foul has occurred and determine whether the fouled boxer is able to continue. The referee may order the contest suspended for a reasonable period of time to allow the fouled boxer to recover if the referee determines the boxer's chance of winning has not been seriously jeopardized. The referee shall inform the event inspector or his designee of his determination that the foul was accidental.

F. The referee shall stop a contest when he determines that an injury resulting from an accidental foul is so severe as to adversely affect the fouled boxer's chances of winning.

The contest shall be a draw if the accidental foul occurs during the first three rounds. The contest shall be determined by a tabulation of the scores of the completed rounds if the accidental foul occurs after the third round.

G. The referee shall stop a contest when he determines that an injury resulting from an accidental foul has been aggravated by fair blows. The outcome of the contest shall be determined by scoring the completed rounds.

18 VAC 120-40-360. Scoring of boxing contest, decisions, and announcement of decisions.

A. Each contest shall be scored by the judges assigned by the department or its contractor. At the end of each round, the score cards shall be presented to the event inspector or his designee who shall examine the score cards. The winner shall be the boxer who receives the highest score from the majority of the judges. The contest is a draw if neither boxer scores so as to obtain a majority.

B. When the event inspector has examined the score cards and checked them for accuracy, he shall inform the ring announcer of the decision. The announcer may inform the audience of the decision.

C. The department shall not change a decision rendered at the end of any boxing contest unless:

1. It is determined that there has been wrongful or illegal collusion affecting the result of the contest;
2. An error is found in the compilation of the scorecards which discloses an error which shows that the decision favored the wrong boxer; or
3. The department determines through investigation that there was a violation of this chapter which adversely impacted on the fairness of the contest or the decision.

18 VAC 120-40-370. Boxer conduct standards.

A. The administration of or use of any alcohol, controlled substance, or stimulant in any part of the body, either before or during a match, to or by any boxer shall be grounds for disciplinary action.

B. A boxer shall submit to urinalysis or chemical test before or after a contest if the department or its contractor directs him to do so. Failure to submit to medical testing shall be grounds for disciplinary action.

C. A boxer found to be under the influence of alcohol or any controlled substance shall be subject to disciplinary action.

18 VAC 120-40-380. Full contact karate (kick boxing) event conduct standards.

The provisions of this chapter which apply to boxers shall also apply to full contact karate (kick boxing) with the following modifications:

1. Contests shall not exceed 12 two-minute rounds with a one-minute rest period between rounds.

Emergency Regulations

2. Fouls may result in the deduction of one or more points based on the severity of the foul as determined by the referee. The referee shall base his decision as to the severity of the foul on the intent of the contestant committing the foul and the result of the foul on the fouled contestant. At the time of the foul, the referee shall indicate to the judges the number of points to be subtracted from each judge's ballot. Fouls include:

- a. Head butting;
- b. Striking with the elbow;
- c. Striking to the groin;
- d. Attacking with the knee;
- e. Chopping to the back of the neck (rabbit punch);
- f. Striking to the face with any part of the arm other than the gloved hand (as in the spinning-back first attempt which lands with the forearm or elbow);
- g. Kicking to the legs;
- h. Punching or kicking a contestant when he is down. (A contestant is knocked down when any part of his body, other than his feet, touches the floor. If a contestant is on his way to the floor, his opponent may continue to attack until he has touched the floor with any part of his body other than his feet.);
- i. Takedowns;
- j. Intentionally pushing, shoving, or wrestling an opponent out of the ring with any part of the body;
- k. Sweeping other than boot to boot;
- l. Attacking on the break when both contestants have been ordered to take one step back by the referee;
- m. Attacking after the bell has sounded to end the round;
- n. Holding and hitting, such as holding with one hand, especially behind the neck, and hitting with the other hand;
- o. Grabbing or holding onto an opponent's foot or leg, followed by a takedown;
- p. Holding the ropes with one hand while kicking, punching, or defending with the other hand or with the legs;
- q. Leg checking - extending the leg to check an opponent's leg to prevent him from kicking;
- r. Purposely going down without being hit, resulting in the referee automatically administering an 8 count;
- s. Using abusive language in the ring;
- t. Hitting or flicking with an open glove; and
- u. Refusing to compete.

18 VAC 120-40-390. Reporting the results of boxing contests.

Not later than two business days after the conclusion of a boxing match, the department or its contractor shall report the results of such boxing match and any related ineligibility to compete in boxing contests to each boxer registry as required by the federal Professional Boxing Safety Act of 1996.

18 VAC 120-40-400. Wrestling event conduct standards.

A. Wrestling exhibitions shall be conducted inside the ring ropes.

B. Each match shall be conducted under the supervision of a referee who shall be currently licensed as a wrestler and who shall be responsible for the safety of the spectators.

C. Each participant in each wrestling match shall be currently licensed as a wrestler.

D. In no case shall a wrestler intentionally cause a flow of blood or other bodily fluid from his body during the course of the exhibition.

E. In the event a visible flow of blood or other bodily fluid from any wrestler occurs during a contest, the referee shall immediately suspend the contest until medical treatment can be obtained. If the flow of blood or other bodily fluid cannot be stopped, the exhibition involving that wrestler shall not continue.

F. Neither referees nor promoters shall permit physically dangerous conduct or tactics by any wrestler.

G. Promoters shall maintain peace, order, and decency in the conduct of any wrestling exhibition.

18 VAC 120-40-410. Promoter to allow access to event and event facilities.

A. The department may assign one or more representatives to each event to evaluate the contractor's performance or to assure compliance with Chapter 8.1 of Title 54.1 of the Code of Virginia and this chapter.

B. All event officials and representatives of the department assigned to an event, whether to monitor the contractor's performance or for any other authorized purpose, shall be granted immediate access by the promoter and the promoter's representatives to the licensed event and to any area or portion of the event facilities.

PART VI. GATE FEES.

18 VAC 120-40-420. Reporting, verification, and payment of gate fees.

A. Each promoter shall furnish to the department, within 24 hours after the completion of each boxing or wrestling event, a written and verified report on the form provided by the department showing the number of tickets sold, unsold, and given away and the amount of gross proceeds thereof for such events originating in the Commonwealth. The report

shall also include the total gross proceeds from the sale of rights to distribute in any manner such event by any video, telephonic, or other communication method involving the control of electrons or other charge carriers for such live events originating in the Commonwealth.

B. The promoter shall pay the department, within the same 24-hour period, a fee of (i) five percent of the first \$100,000 of its total gross receipts and (ii) two and one-half percent of the remainder of its total gross proceeds.

C. The department or its contractor may examine or cause to be audited the records and accounts of the promoter.

PART VII.

STANDARDS OF CONDUCT AND PERFORMANCE.

18 VAC 120-40-430. Grounds for disciplinary action by the department.

A. The department shall have the authority to deny application for and to deny renewal of a license or event license as well as to discipline a licensee through a fine, license suspension, or license revocation for the following reasons:

1. The licensee violates or induces another person to violate any provisions of Chapters 1, 2, 3 or 8.1 of Title 54.1 of the Code of Virginia or of this chapter.
2. The licensee obtained his license or event license through misrepresentation or fraud.
3. The applicant or licensee is found to have a medical condition which makes participation in boxing or wrestling events a health hazard.
4. The applicant or licensee has altered a license issued by the department.
5. The applicant or licensee has been convicted in any jurisdiction of any felony or of any misdemeanor involving lying, cheating or stealing, or of any misdemeanor for acts carried out while engaged in boxing, wrestling, or other athletic activities. Any plea of *nolo contendere* shall be considered a conviction for the purposes of this subsection. A certified copy of a final order, decree or case decision by a court or regulatory agency with the lawful authority to issue such order, decree or case decision shall be admissible as *prima facie* evidence of such conviction or discipline.
6. The applicant or licensee has been the subject of disciplinary action taken by Virginia or another jurisdiction in connection with the applicant's participation in or promotion of professional athletic contests or activities, including but not limited to, monetary penalties, fines, suspension, revocation, or surrender of a license in connection with a disciplinary action.
7. The applicant for a license as a boxer or licensed boxer failed or refused to appear when directed by the

department or its contractor for the purposes of weighing or conducting a medical examination.

8. The applicant or licensee fails to furnish a valid reason or a doctor's certificate to explain any failure to appear at an event in which he agreed to participate by signing a contract.

B. The department, or its contractor if the contractor's duties include the conduct of disciplinary proceedings, shall conduct disciplinary procedures in accordance with the Administrative Process Act (§ 9-6.14:4.1 et seq. of the Code of Virginia).

/s/ Jack E. Kotvas
Director
Department of Professional and Occupational Regulation
Date: August 6, 1998

/s/ Scott D. Pattison
Director
Department of Planning and Budget
Date: August 6, 1998

/s/ Barry E. DuVal
Secretary of Commerce and Trade
Date: August 10, 1998

/s/ James S. Gilmore III
Governor
Date: August 11, 1998

VA.R. Doc. No. R98-309; Filed August 11, 1998, 11:57 a.m.

◆

GOVERNOR

GOVERNOR'S COMMENTS ON PROPOSED REGULATIONS

TITLE 9. ENVIRONMENT

STATE AIR POLLUTION CONTROL BOARD

Title of Regulation: Regulations for the Control and Abatement of Air Pollution (Rev. ZZ).

9 VAC 5-20-10 et seq. General Provisions.

9 VAC 5-40-10 et seq. Existing Stationary Sources.

9 VAC 5-50-10 et seq. New and Modified Stationary Sources.

Governor's Comment:

I have reviewed the proposed regulation on a preliminary basis. It is mandated by state and federal law. While I reserve the right to take action under the Administrative Process Act during the final adoption period, I have no objection to this regulation based on the information and public comment currently available.

/s/ James S. Gilmore, III
Governor

Date: August 5, 1998

VA.R. Doc. No. R97-296; Filed August 12, 1998, 12:04 p.m.

TITLE 12. HEALTH

STATE BOARD OF HEALTH

Title of Regulation: 12 VAC 5-90-10 et seq. Regulations for Disease Reporting and Control.

Governor's Comment:

I have reviewed the proposed regulation on a preliminary basis. It is mandated by state law. While I reserve the right to take action under the Administrative Process Act during the final adoption period, I have no objection to this regulation based on the information and public comment currently available.

/s/ James S. Gilmore, III
Governor

Date: August 5, 1998

VA.R. Doc. No. R97-685; Filed August 12, 1998, 12:04 p.m.

TITLE 18. PROFESSIONAL AND OCCUPATIONAL LICENSING

BOARD OF MEDICINE

Title of Regulation: 18 VAC 85-110-10 et seq. Regulations Governing the Practice of Licensed Acupuncturists.

Governor's Comment:

I have reviewed the proposed regulation on a preliminary basis. The regulation is mandated by state law. While I reserve the right to take action under the Administrative Process Act during the final adoption period, I have no objection to this regulation based on the information and public comment currently available.

/s/ James S. Gilmore, III
Governor

Date: August 5, 1998

VA.R. Doc. No. R97-357; Filed August 12, 1998, 12:04 p.m.

BOARD OF NURSING

Title of Regulation: 18 VAC 90-20-10 et seq. Regulations of the Board of Nursing.

Governor's Comment:

I have reviewed the proposed regulation on a preliminary basis. It is mandated by state law. While I reserve the right to take action under the Administrative Process Act during the final adoption period, I have no objection to this regulation based on the information and public comment currently available.

/s/ James S. Gilmore, III
Governor

Date: August 5, 1998

VA.R. Doc. No. R97-420; Filed August 12, 1998, 12:04 p.m.

BOARDS OF NURSING AND MEDICINE

Title of Regulation: 18 VAC 90-30-10 et seq. Regulations Governing the Licensure of Nurse Practitioners.

Governor's Comment:

I have reviewed the proposed regulation on a preliminary basis. It is mandated by state law. While I reserve the right to take action under the Administrative Process Act during the final adoption period, I have no objection to this regulation based on the information and public comment currently available.

/s/ James S. Gilmore, III
Governor

Date: August 5, 1998

VA.R. Doc. No. R97-727; Filed August 12, 1998, 12:04 p.m.

BOARD OF NURSING HOME ADMINISTRATORS

Title of Regulation: 18 VAC 95-20-10 et seq. Regulations of the Board of Nursing Home Administrators.

Governor's Comment:

I have reviewed the proposed regulation on a preliminary basis. It is mandated by state law. While I reserve the right to take action under the Administrative Process Act during the final adoption period, I have no objection to this regulation based on the information and public comment currently available.

/s/ James S. Gilmore, III

Governor

Date: August 5, 1998

VA.R. Doc. No. R97-218; Filed August 12, 1998, 12:04 p.m.

BOARD OF OPTOMETRY

Title of Regulation: 18 VAC 105-20-10 et seq. Regulations of the Virginia Board of Optometry.

Governor's Comment:

I have reviewed the proposed regulation on a preliminary basis. While I reserve the right to take action under the Administrative Process Act during the final adoption period, I have no objection to this regulation based on the information and public comment currently available.

/s/ James S. Gilmore, III

Governor

Date: August 5, 1998

VA.R. Doc. No. R97-306; Filed August 12, 1998, 12:04 p.m.



GENERAL NOTICES/ERRATA

STATE CORPORATION COMMISSION

ADMINISTRATIVE RULING ~~0601~~ BFI-AR-0601 SALES OF AUTOMOBILE CLUB MEMBERSHIPS

~~As a result of a recent inquiry,~~ In 1990 the Bureau has reviewed its authorizations, pursuant to Virginia Code § 6.1-267 of the Code of Virginia, for various licensees to make loans under the Consumer Finance Act in offices where the business of selling automobile club memberships is also conducted.

The purpose of § 6.1-267 is different from that of Chapter 3.1, "Automobile Clubs," of Title 13.1 of the Code, which is administered by the Commission's Bureau of Insurance. So, licensing of an "automobile club" for sale in Virginia pursuant to Chapter 3.1 does not automatically mean that the club may be sold in consumer finance offices. An application to this Bureau ~~is also would be necessary.~~ However, it is the policy of the Bureau, based upon past experience, that such applications will not be approved.

~~In cases where a consumer finance company has applied to sell automobile club memberships, and has filed with the application a particular program of motor vehicle and travel-related goods and services, i.e., a specific "automobile club", the approval is for the sale of membership in that particular club. In the event that a company desires to change an approved plan or to sell another plan, an additional application will be required before such a change is made, unless the company obtains a determination from this Bureau to the effect that the new (or changed) plan is not substantially different from the program previously approved.~~

~~The Bureau of Financial Institutions holds that the services offered by virtue of membership in an automobile club must relate to motor travel or the operation, use, or maintenance of a motor vehicle.~~

~~Issued Originally issued by the Commissioner of Financial Institutions November 21, 1990, as Consumer Finance Circular 90-1. (In fact, the ruling was the second issued in 1990 and should have been designated "90-2".) Revised and reissued August 3, 1998.~~

VA.R. Doc. No. C98-1886; Filed August 5, 1998, 12:26 p.m.

* * * * *

ADMINISTRATIVE RULING BFI-AR-0602 FEES ALLOWED: RECOVERY OF CERTAIN COSTS AND FEES

Withdrawal

Administrative Ruling BFI-AR-0602 was originally issued by the Commissioner of Financial Institutions on April 21, 1987. The ruling was withdrawn on August 3, 1998, as obsolete.

Contact: Angela Bowser, Assistant Director, Information Resources, State Corporation Commission, Box 1197, Richmond, VA 23218, telephone (804) 371-9206.

VA.R. Doc. No. C98-1887; Filed August 5, 1998, 12:27 p.m.

* * * * *

REGISTRAR'S NOTICE: The distribution lists that are referenced as Appendices A and B in the following order are not being published. However, these lists are available for public inspection at the State Corporation Commission, Document Control Center, Tyler Building, 1st Floor, 1300 East Main Street, Richmond, Virginia 23219, from 8:15 a.m. to 5 p.m., Monday through Friday; or may be viewed at the Virginia Code Commission, General Assembly Building, 2nd Floor, 910 Capitol Street, Richmond, Virginia 23219, during regular office hours.

AT RICHMOND, JULY 28, 1998

COMMONWEALTH OF VIRGINIA, ex rel.

STATE CORPORATION COMMISSION

CASE NO. PUC950080

Ex Parte: In the matter of
investigating the resale of
local exchange telephone service

ORDER OF DISMISSAL

This matter was initiated to investigate the resale of local exchange telephone service pursuant to the Commission's Order Adopting Rules, 1995 SCC Ann. Rept. 249 (Case No. PUC950018, Dec. 13, 1995). Notices were published and comments were received from numerous interested parties. The need to continue with a generic investigation of local exchange resale was nonetheless supplanted by the requirements of § 251 of the Telecommunications Act of 1996 ("Act"), 47 U.S.C. § 251. Pursuant to that section and applicable state law, the Commission has addressed resale in the arbitration dockets that have involved Bell Atlantic-Virginia and GTE South Incorporated.

Because the resale of local exchange telephone service is an established principle of the Act and any issues needing resolution will be addressed on a case-by-case basis, the Commission finds that this docket should be closed. Accordingly,

IT IS THEREFORE ORDERED THAT this matter is dismissed and the papers accumulated herein shall be placed in the file for ended causes.

AN ATTESTED COPY hereof shall be sent by the Clerk of the Commission to: local exchange telephone companies as set out in Attachment A hereto; all Virginia certificated interexchange carriers as set out in Attachment B hereto; Thomas B. Nicholson, Senior Assistant Attorney General, Division of Consumer Counsel, Office of Attorney General, 900 East Main Street, Second Floor, Richmond, Virginia 23219; Richard D. Gary, Esquire, Hunton & Williams,

Riverfront Plaza, East Tower, 951 East Byrd Street, Richmond, Virginia 23219-4074; James C. Roberts, Esquire, and Donald G. Owens, Esquire, Virginia Cable Television Association, Mays & Valentine, P.O. Box 1122, Richmond, Virginia 23218-1122; Louis R. Monacell, Esquire, Christian & Barton, 909 East Main Street, Suite 1200, Richmond, Virginia 23219-3095; Ronald B. Mallard, Director, Fairfax County Department of Consumer Affairs, 12000 Government Center Parkway, Suite 433, Fairfax, Virginia 22035; Nelson Thibodeaux, Preferred Carrier Services, 1425 Greenway Drive, Suite 210, Irving, Texas 75038; Michael Beresik, AARP, 601 East Street, N.W., Washington, D.C. 20049; Cecil O. Simpson, Jr., U.S. Department of Defense, 901 North Stuart Street, Arlington, Virginia 22203-1837; Richard M. Tettelbaum, Citizens Telecommunications, 1400 16th Street, N.W., Suite 500, Washington, D.C. 20036-3917; Naomi C. Klaus, Esquire, Metropolitan Washington Airports Authority, 44 Canal Center Plaza, Suite 218, Alexandria, Virginia 22314; Brian Sulmonetti, WorldCom, Inc., d/b/a LDDS, 1515 South Federal Highway, Suite 400, Boca Raton, Florida 33432; D.R. Maccarelli, CFW Communications, P.O. Box 1990, Waynesboro, Virginia 22980-7590; Jodie Donovan-May, Esquire, Teleport Communications Group, Inc., 1133 21st Street, N.W., Washington, D.C. 20036; Andrew O. Isar, Telecommunications Resellers Association, 4312 92nd Avenue, N.W., Gig Harbor, Washington 98335; Andrew D. Lipman, Esquire, MFS Intelenet of Virginia, Inc., 3000 K Street, N.W., Suite 300, Washington, D.C. 20007; David W. Clarke, Washington/Baltimore Cellular, P.O. Box 796, Richmond, Virginia 23206; James W. Wright, Esquire, Central Telephone/United, 14111 Capital Boulevard, Wake Forest, North Carolina 27587-5900; the Commission's Office of General Counsel; and the Commission's Divisions of Communications, Public Utility Accounting, Economics and Finance, and Public Service Taxation.

VA.R. Doc. No. C98-1885; Filed August 5, 1998, 12:26 p.m.

REGISTRAR'S NOTICE: The distribution lists that are referenced as Appendices A and B in the following order are not being published. However, these lists are available for public inspection at the State Corporation Commission, Document Control Center, Tyler Building, 1st Floor, 1300 East Main Street, Richmond, Virginia 23219, from 8:15 a.m. to 5 p.m., Monday through Friday; or may be viewed at the Virginia Code Commission, General Assembly Building, 2nd Floor, 910 Capitol Street, Richmond, Virginia 23219, during regular office hours.

AT RICHMOND, AUGUST 4, 1998

COMMONWEALTH OF VIRGINIA, ex rel.

STATE CORPORATION COMMISSION

CASE NO. PUC970009

Ex Parte: Implementation of IntraLATA Toll Dialing Parity pursuant to the provisions of 47 U.S.C. § 251(b)(3)

ORDER INVITING COMMENTS

On July 17, 1998, Bell Atlantic-Virginia, Inc. ("BA-VA") filed its Motion to Clarify its Obligation to Implement IntraLATA Toll 1+ Presubscription. The Motion sets forth BA-VA's reasons that it believes it does not have to implement intraLATA dialing parity on or before February 8, 1999, and concludes by asking the Commission to clarify that BA-VA is not required to implement intrastate, intraLATA toll 1+ presubscription until BA-VA is permitted to provide interLATA toll services.

The Commission has determined that it will not rule upon this request until other parties, particularly interexchange carriers, have had an opportunity to comment upon BA-VA's Motion. Accordingly,

IT IS THEREFORE ORDERED THAT:

(1) Parties desiring to comment on BA-VA's Motion may submit their comments to the Clerk of the Commission on or before August 31, 1998.

(2) BA-VA provide a copy of its Motion to any party who requests it.

AN ATTESTED COPY hereof shall be sent by the Clerk of the Commission to: each local exchange telephone company operating in Virginia as set out in Appendix A attached hereto; each certificated interexchange carrier operating in Virginia as set out in Appendix B attached hereto; the Division of Consumer Counsel, Office of the Attorney General, 900 East Main Street, 2nd Floor, Richmond, Virginia 23219; Jean Ann Fox, Vice President, Virginia Citizens Consumer Council, 114 Coachman Drive, Yorktown, Virginia 23693; Sheryl Butler, Office of the Judge Advocate General, Department of the Army, 901 North Stuart Street, Room 400, Arlington, Virginia 22203-1837; Ronald B. Mallard, Director, Department of Consumer Affairs, County of Fairfax, 12000 Government Center Parkway, Fairfax, Virginia 22035; Charles R. Smith, Hello, Inc., 2315 West Broad Street, Richmond, Virginia 23220; James C. Roberts, Esquire, Mays & Valentine, P.O. Box 1122, Richmond, Virginia 23218-1122; Alexander Bouton, Swidler & Berlin, 3000 K Street, N.W., Suite 300, Washington, D.C. 20007-5116; the Commission's Office of General Counsel; and the Commission's Divisions of Communications, Public Utility Accounting, and Economics and Finance.

VA.R. Doc. No. C98-1899; Filed August 11, 1998, 10:50 a.m.

DEPARTMENT OF ENVIRONMENTAL QUALITY

**Proposed Consent Special Order
P & G Oil Company, Inc.**

On behalf of the State Water Control Board and the Waste Management Board, the Department of Environmental Quality proposes to issue a Consent Special Order to David S. Gouldthorpe concerning compliance with the Solid Waste Management Regulations, 9 VAC 20-80-10, and the Oil

General Notices/Errata

Discharge Contingency Plans and Administrative Fees for Approval Regulation, 9 VAC 25-90-10. The proposed consent special order requires compliance with the applicable regulations and cleanup of petroleum contaminated soil at the P & G Oil Company, Inc. facility in Madison Heights. The department will receive written comments relating to the proposed consent special order until September 30, 1998. Comments and requests for copies should be addressed to Robert Steele, Department of Environmental Quality, West Central Regional Office, 3019 Peters Creek Road, N.W., Roanoke, VA 24019, telephone (540) 562-6777. The final orders may be examined at the department during regular business hours.

Notice of Public Meeting and Public Comment Regarding the Development of a TMDL for Muddy Creek

The Department of Environmental Quality and the Department of Conservation and Recreation seek written comment from interested persons on the development of a Total Maximum Daily Load (TMDL) for fecal coliform bacteria on a 10.36 mile segment of Muddy Creek. A TMDL is a special study that quantifies the amount of pollutant(s) in a stream, identifies the source(s) of the pollutant(s), determines the reduction needed to attain water quality standards, and recommends a strategy for achieving the reductions. This impaired segment is located in Rockingham County and extends from the headwaters of Muddy Creek to the confluence with Dry River. Muddy Creek is identified in Virginia's 1998 303(d) TMDL Priority List and Report as impaired due to violations of the state's water quality standard for fecal coliform bacteria.

Section 303(d) of the federal Clean Water Act and § 62.1-44.19:7 C of the Code of Virginia require the development and implementation of TMDLs for pollutants responsible for each impaired water contained in Virginia's 303(d) TMDL Priority List and Report.

A public meeting on the development process of the fecal coliform TMDL for Muddy Creek will be held on Wednesday, September 16, 1998, at 10 a.m. in the Department of Environmental Quality, Conference Room, 441 Early Road, Harrisonburg, Virginia.

The public comment period will end on Wednesday, September 30, 1998. A fact sheet on the Muddy Creek impairment is available upon request. Questions or information requests should be addressed to the person listed below. Written comments should include the name, address, and telephone number of the person submitting the comments and should be sent to Mr. Charles Martin, Department of Environmental Quality, P.O. Box 10009, Richmond, Virginia 23240-0009, telephone (804) 762-4462, FAX (804) 762-4136, or e-mail chmartin@deq.state.va.us.

Notice of Public Meetings and Public Comment Regarding Virginia's 1998 303(d) Priority List and Report

The Virginia Department of Environmental Quality (DEQ) seeks written comment from interested persons on Virginia's 1998 303(d) Total Maximum Daily Load Priority List and Report. The 303(d) List identifies waters in Virginia that need additional reductions in one or more pollutants. The specialized studies to quantify the reductions in pollutants for attainment of water quality standards are called Total Maximum Daily Loads (TMDLs). Listed for TMDL development are waters not meeting water quality standards (impaired waters) and waters not expected to meet water quality standards after the implementation of technology-based effluent limits.

Section 303(d) of the federal Clean Water Act and § 130.7 and EPA's Water Quality Planning and Management Regulation (40 CFR) require Virginia to report and seek public comment on the waters listed for TMDL development in the 1998 303(d) TMDL Priority List and Report.

DEQ and the Department of Conservation and Recreation will hold three public meetings to answer questions about the 303(d) list. They will be held on Tuesday, September 15, 1998, at 1:30 p.m. at the DEQ Piedmont Regional Office in Innsbrook, on Thursday, September 17, 1998, at 1:30 p.m. at the Roanoke County Board of Supervisors room, and on Tuesday, September 22, 1998, at 1:30 p.m. at the DEQ Northern Virginia Regional Office in Woodbridge.

The public comment period will end on Wednesday, September 30, 1998. A draft copy of Virginia's 1998 303(d) TMDL Priority List and Report is available upon request. Questions or information requests should be addressed to the person listed below. Written comments should include the name, address, and telephone number of the person submitting the comments and should be sent to Mr. Charles Martin, Department of Environmental Quality, P.O. Box 10009, Richmond, Virginia, 23240-0009, telephone (804) 762-4462, FAX (804) 762-4136, or e-mail chmartin@deq.state.va.us.

DEPARTMENT OF GAME AND INLAND FISHERIES

Public Comment Period on Proposed Regulations

A public comment period on proposed changes to regulations governing fish and fishing, including seasons, creel limits, methods of take, and possession, opened August 20, 1998, and closes October 22, 1998. The proposals subject to public comment are those regulations or regulation amendments which the Board of Game and Inland Fisheries proposed at its August 20(-21), 1998 meeting. The proposed regulations may currently be viewed (i) at the Department of Game and Inland Fisheries' internet site, <http://www.dgjf.state.va.us>, and (ii) at the department's central and regional offices. They will be published in the September 14, 1998, issue of the Virginia Register, and will

be available at eight public input meetings (public hearings) which are being held around the state September 1-9, 1998. (See Game and Inland Fisheries meeting announcements in the Calendar of Events section in this publication.)

Comments received during the public comment period will be provided to the board for their consideration prior to their taking final action on the proposed regulations at their October 22(-23), 1998 meeting. However, in order to be assured that comments submitted are included in the board's briefing materials, the comments need to be received by the department no later than October 15, 1998, or seven days prior to the second board meeting. In order to be taken into consideration, comments submitted must be in writing; must be accompanied by the name, address, and telephone number of the party offering the comments; should state the regulatory action desired; and should state the justification for the desired action. Comments submitted during the public comment period should be mailed to Phil Smith, Policy Analyst and Regulatory Coordinator, Department of Game and Inland Fisheries, 4010 West Broad Street, Richmond, VA 23230.

The Department of Game and Inland Fisheries is exempted from the Administrative Process Act and Executive Order Number 25 (98) in promulgating regulations regarding the management of wildlife, pursuant to § 9-6.14:4.1 A 3 of the Code of Virginia. The department is required by § 9-6.14:22 of the Code of Virginia to publish all proposed and final wildlife management regulations, including length of seasons and bag limits allowed on the wildlife resources within the Commonwealth of Virginia.

DEPARTMENT OF HEALTH

Abstinence Education Initiative Application under § 510 of Title V of the Social Security Act

Maternal and Child Health Block Grant Application Fiscal Year 1999

The Virginia Department of Health (VDH) submitted on July 15, 1998, the application for Abstinence Education funds for the Commonwealth of Virginia. The application was presented to the federal Secretary of Health and Human Services as an appendix to the Maternal and Child Health Services Block Grant Application for the period October 1, 1998, through September 30, 1999, in order to be entitled to continue receiving payments for the purpose of providing the abstinence education initiative on a statewide basis.

The Maternal and Child Health Services Block Grant Application makes assurance to the Secretary of Health and Human Services that the Virginia Department of Health will adhere to all the requirements of § 510, Title V - Maternal and Child Health Services Block Grant of the Social Security Act. To facilitate public comment, this notice is to announce a period from August 31 through September 30, 1998, for review and public comment on the Abstinence Education

Application. Copies of the document will be available as of August 31, 1998, from the Office of Family Health Services in the Central Office of the Virginia Department of Health in Richmond. Individual copies of the document may be obtained by contacting Gale Grant, M.A., Abstinence Education Initiative Coordinator. Written comments (postmarked on or before September 30, 1998) must be addressed to Ms. Grant and mailed to Virginia Department of Health, Division of Child and Adolescent Health, 1500 E. Main Street, Suite 105, P.O. Box 2448, Richmond, VA 23219, (804) 225-3697, FAX (804) 371-6031 or e-mail ggrant@vdh.state.va.us.

STATE LOTTERY DEPARTMENT

DIRECTOR'S ORDER NUMBER TWELVE (98)

VIRGINIA'S INSTANT GAME LOTTERY 125; "7 COME 11," FINAL RULES FOR GAME OPERATION.

In accordance with the authority granted by Sections 9-6.14:4.1 B (15) and 58.1-4006 A of the Code of Virginia, I hereby promulgate the final rules for game operation in Virginia's Instant Game Lottery 125, "7 Come 11." These rules amplify and conform to the duly adopted State Lottery Board regulations for the conduct of instant game lotteries.

The rules are available for inspection and copying during normal business hours at the State Lottery Department headquarters, 900 East Main Street, Richmond, Virginia, and at each of the State Lottery Department regional offices. A copy may be requested by mail by writing to: Public Affairs Division, State Lottery Department, 900 East Main Street, Richmond, Virginia 23219.

This Director's Order becomes effective on the date of its signing and shall remain in full force and effect unless amended or rescinded by further Director's Order.

/s/ David L. Norton
Director, Legislative and Regulatory Affairs
Date: June 30, 1998

VA.R. Doc. No. C98-1900; Filed August 11, 1998, 1:10 p.m.

DIRECTOR'S ORDER NUMBER THIRTEEN (98)

VIRGINIA'S INSTANT GAME LOTTERY 427; "BIG BANG BUCKS," FINAL RULES FOR GAME OPERATION.

In accordance with the authority granted by Sections 9-6.14:4.1 B (15) and 58.1-4006 A of the Code of Virginia, I hereby promulgate the final rules for game operation in Virginia's Instant Game Lottery 427, "Big Bang Bucks." These rules amplify and conform to the duly adopted State Lottery Board regulations for the conduct of instant game lotteries.

The rules are available for inspection and copying during normal business hours at the State Lottery Department headquarters, 900 East Main Street, Richmond, Virginia, and at each of the State Lottery Department regional offices. A

General Notices/Errata

copy may be requested by mail by writing to: Public Affairs Division, State Lottery Department, 900 East Main Street, Richmond, Virginia 23219.

This Director's Order becomes effective on the date of its signing and shall remain in full force and effect unless amended or rescinded by further Director's Order.

/s/ David L. Norton
Director, Legislative and Regulatory Affairs
Date: June 30, 1998

VA.R. Doc. No. C98-1901; Filed August 11, 1998, 1:10 p.m.

DIRECTOR'S ORDER NUMBER FOURTEEN (98)

VIRGINIA'S INSTANT GAME LOTTERY 132; "BLACKJACK II," FINAL RULES FOR GAME OPERATION.

In accordance with the authority granted by Sections 9-6.14:4.1 B (15) and 58.1-4006 A of the Code of Virginia, I hereby promulgate the final rules for game operation in Virginia's Instant Game Lottery 132, "Blackjack II." These rules amplify and conform to the duly adopted State Lottery Board regulations for the conduct of instant game lotteries.

The rules are available for inspection and copying during normal business hours at the State Lottery Department headquarters, 900 East Main Street, Richmond, Virginia, and at each of the State Lottery Department regional offices. A copy may be requested by mail by writing to: Public Affairs Division, State Lottery Department, 900 East Main Street, Richmond, Virginia 23219.

This Director's Order becomes effective on the date of its signing and shall remain in full force and effect unless amended or rescinded by further Director's Order.

/s/ David L. Norton
Director, Legislative and Regulatory Affairs
Date: June 30, 1998

VA.R. Doc. No. C98-1902; Filed August 11, 1998, 1:10 p.m.

DIRECTOR'S ORDER NUMBER SIXTEEN (98)

VIRGINIA'S INSTANT GAME LOTTERY 426; "WHEEL OF FORTUNE," FINAL RULES FOR GAME OPERATION.

In accordance with the authority granted by Sections 9-6.14:4.1 B (15) and 58.1-4006 A of the Code of Virginia, I hereby promulgate the final rules for game operation in Virginia's Instant Game Lottery 426, "Wheel of Fortune." These rules amplify and conform to the duly adopted State Lottery Board regulations for the conduct of instant game lotteries.

The rules are available for inspection and copying during normal business hours at the State Lottery Department headquarters, 900 East Main Street, Richmond, Virginia, and at each of the State Lottery Department regional offices. A copy may be requested by mail by writing to: Public Affairs Division, State Lottery Department, 900 East Main Street, Richmond, Virginia 23219.

This Director's Order becomes effective on the date of its signing and shall remain in full force and effect unless amended or rescinded by further Director's Order.

/s/ David L. Norton
Director, Legislative and Regulatory Affairs
Date: May 27, 1998

VA.R. Doc. No. C98-1903; Filed August 11, 1998, 1:10 p.m.

DIRECTOR'S ORDER NUMBER SEVENTEEN (98)

VIRGINIA'S INSTANT GAME LOTTERY 131; "VIRGINIA IS FOR LOVERS," FINAL RULES FOR GAME OPERATION.

In accordance with the authority granted by Sections 9-6.14:4.1 B (15) and 58.1-4006 A of the Code of Virginia, I hereby promulgate the final rules for game operation in Virginia's Instant Game Lottery 131, "Virginia Is For Lovers." These rules amplify and conform to the duly adopted State Lottery Board regulations for the conduct of instant game lotteries.

The rules are available for inspection and copying during normal business hours at the State Lottery Department headquarters, 900 East Main Street, Richmond, Virginia, and at each of the State Lottery Department regional offices. A copy may be requested by mail by writing to: Public Affairs Division, State Lottery Department, 900 East Main Street, Richmond, Virginia 23219.

This Director's Order becomes effective on the date of its signing and shall remain in full force and effect unless amended or rescinded by further Director's Order.

/s/ David L. Norton
Manager, Legal Affairs
Date: July 31, 1998

VA.R. Doc. No. C98-1904; Filed August 11, 1998, 1:11 p.m.

DIRECTOR'S ORDER NUMBER EIGHTEEN (98)

VIRGINIA'S INSTANT GAME LOTTERY 428; "VIVA LAS VEGAS," FINAL RULES FOR GAME OPERATION.

In accordance with the authority granted by Sections 9-6.14:4.1 B (15) and 58.1-4006 A of the Code of Virginia, I hereby promulgate the final rules for game operation in Virginia's Instant Game Lottery 428, "Viva Las Vegas." These rules amplify and conform to the duly adopted State Lottery Board regulations for the conduct of instant game lotteries.

The rules are available for inspection and copying during normal business hours at the State Lottery Department headquarters, 900 East Main Street, Richmond, Virginia, and at each of the State Lottery Department regional offices. A copy may be requested by mail by writing to: Public Affairs Division, State Lottery Department, 900 East Main Street, Richmond, Virginia 23219.

This Director's Order becomes effective on the date of its signing and shall remain in full force and effect unless amended or rescinded by further Director's Order.

/s/ David L. Norton
Manager, Legal Affairs
Date: June 30, 1998

VA.R. Doc. No. C98-1905; Filed August 11, 1998, 1:11 p.m.

DIRECTOR'S ORDER NUMBER NINETEEN (98)

VIRGINIA'S INSTANT GAME LOTTERY 430; "VIRGINIA'S TOP TEN," FINAL RULES FOR GAME OPERATION.

In accordance with the authority granted by Sections 9-6.14:4.1 B (15) and 58.1-4006 A of the Code of Virginia, I hereby promulgate the final rules for game operation in Virginia's Instant Game Lottery 430, "Virginia's Top Ten." These rules amplify and conform to the duly adopted State Lottery Board regulations for the conduct of instant game lotteries.

The rules are available for inspection and copying during normal business hours at the State Lottery Department headquarters, 900 East Main Street, Richmond, Virginia, and at each of the State Lottery Department regional offices. A copy may be requested by mail by writing to: Public Affairs Division, State Lottery Department, 900 East Main Street, Richmond, Virginia 23219.

This Director's Order becomes effective on the date of its signing and shall remain in full force and effect unless amended or rescinded by further Director's Order.

/s/ David L. Norton
Manager, Legal Affairs
Date: July 31, 1998

VA.R. Doc. No. C98-1906; Filed August 11, 1998, 1:11 p.m.

DEPARTMENT OF SOCIAL SERVICES

Periodic Review of Regulations

Pursuant to Executive Order Number Twenty-five (98), the Department of Social Services is currently reviewing the below listed regulation to determine if it should be terminated, amended, or retained in its current form. The review will be guided by the principles listed in Executive Order Number Twenty-five (98) and in the department's Plan for Review of Existing Agency Regulations.

The department seeks public comment regarding the regulation's interference in private enterprise and life, essential need of the regulation, less burdensome and intrusive alternatives to the regulation, specific and measurable goals that the regulation is intended to achieve, and whether the regulation is clearly written and easily understandable.

The regulation is:

22 VAC 40-400-10 et seq., Funding Limitations for the Refugee Resettlement Program. Contact: Kathy Cooper, State Coordinator, Office of Newcomer Services, telephone

(804) 692-1206, FAX (804) 692-1699 or e-mail kqc2@dss.state.va.us.

Written comments may be submitted until September 20, 1998, in care of the above listed contact at 730 East Broad Street, Richmond, VA 23219-1849, by facsimile to the above listed number, or by electronic mail to the above listed address.

Pursuant to Executive Order Number Twenty-five (98), the Department of Social Services is currently reviewing the below listed regulation to determine if it should be terminated, amended, or retained in its current form. The review will be guided by the principles listed in Executive Order Number Twenty-five (98) and in the department's Plan for Review of Existing Agency Regulations.

The department seeks public comment regarding the regulation's interference in private enterprise and life, essential need of the regulation, less burdensome and intrusive alternatives to the regulation, specific and measurable goals that the regulation is intended to achieve, and whether the regulation is clearly written and easily understandable.

The regulation is:

22 VAC 40-750-10 et seq., Grant Diversion. Contact: Mark L. Golden, Human Services Program Consultant, Division of Temporary Assistance, (804) 692-1735, FAX (804) 692-1704 or e-mail mxg2@dss.state.va.us.

Written comments may be submitted until September 20, 1998, in care of the above listed contact at 730 East Broad Street, Richmond, Virginia 23219-1849, by facsimile to the above listed number, or by electronic mail to the above listed address.

STATE WATER CONTROL BOARD

Proposed Consent Special Order Alexandria Sanitation Authority

The State Water Control Board ("board") proposes to execute a Consent Decree to be entered by the Circuit Court of the City of Richmond with the Alexandria Sanitation Authority ("authority") regarding the Alexandria Sewage Treatment Plant ("facility") located in Alexandria, Virginia.

The facility is subject to VPDES Permit No. VA0025160. The Consent Decree provides for, among other things, a construction schedule for completing upgrades to the facility and for interim limits and monitoring requirements during the construction period.

Pursuant to 9 VAC 25-31-910, on behalf of the board, the Department of Environmental Quality's Northern Virginia Regional Office will receive comments relating to the decree through September 30, 1998. Please address comments to Elizabeth Anne Crosier, Northern Virginia Regional Office,

General Notices/Errata

Department of Environmental Quality, 13901 Crown Court, Woodbridge, Virginia, 22193. Please write or visit the Woodbridge address, or call (703) 583-3886, in order to examine or to obtain a copy of the Consent Decree.

Proposed Consent Special Order Hardy Road Trailer Park

The State Water Control Board and the Department of Environmental Quality propose to issue a Consent Special Order to Hardy Road Trailer Park (VA0087165) in Bedford County, for violations of permit effluent limits in the plant's discharge. This order requires the plant to be upgraded, replaced by a package plant, or replaced by individual septic tanks. There is a \$5,000 civil penalty, of which \$4,000 is suspended conditional on satisfactory completion of all work required by this order.

On behalf of the State Water Control Board, the Department of Environmental Quality will receive written comments relating to the proposed action until September 30, 1998. Comments should be addressed to James F. Smith, West Central Regional Office, Department of Environmental Quality, 3019 Peters Creek Road, NW, Roanoke, VA 24019, or FAX 540-562-6725, and should refer to the specific order being addressed. The proposed order may be examined at the Department of Environmental Quality, West Central Regional Office, 3019 Peters Creek Road, NW, Roanoke, VA. Copies of the order may be obtained in person or by mail.

Proposed Consent Special Order Utilities, Inc. T/A Massanutten Public Service Corporation

The State Water Control Board proposes to enter into a Consent Special Order with Utilities Inc. T/A Massanutten Public Service Corporation ["Massanutten PSC"] to resolve violations of the State Water Control Law and regulations at Massanutten PSC's sewage treatment plant in Rockingham County. Massanutten PSC discharges treated wastewater into Quail Run. DEQ has conducted a biological stream survey of Quail Run below Massanutten PSC's outfall which indicated that Quail Run appeared to be adversely impacted by Massanutten PSC's discharge in violation of the Board's Water Quality Standard regulations. DEQ has also found Massanutten PSC to be in violation of its permit for failure to correct certain laboratory inspection deficiencies.

The discharge from Massanutten PSC's treatment plant appears to have a toxic component as indicated by the results of DEQ's stream surveys and laboratory evaluation. The proposed Consent Special Order settles the outstanding Notices of Violation and incorporates a schedule of compliance to address the outstanding laboratory deficiencies and to provide for identification and elimination of any component of the Massanutten PSC discharge or its treatment scheme that is causing the toxicity problem.

The board will receive written comments relating to the proposed Consent Special Order until September 30, 1998. Comments should be addressed to Steven W. Hetrick, Department of Environmental Quality, Post Office Box 1129, Harrisonburg, Virginia 22801, and should refer to the Consent Special Order.

The proposed order may be examined at the Department of Environmental Quality, Valley Regional Office, 4411 Early Road, Harrisonburg, Virginia 22801. A copy of the order may be obtained in person or by mail from this office.

VIRGINIA CODE COMMISSION

Notice to Subscribers

Beginning with Volume 14, Issue 18 of the Virginia Register (14:18 VA.R. May 25, 1998), a new section was added to the Register. The new section entitled, "Cumulative Table of Virginia Administrative Code Sections Adopted, Amended, or Repealed" lists regulation sections, by Virginia Administrative Code (VAC) title, that have been amended, added or repealed in the *Virginia Register* since the regulations were originally published or last supplemented in VAC (the Spring 1998 VAC Supplement includes final regulations published through *Virginia Register* Volume 14, Issue 10 dated February 2, 1998). Emergency regulations, if any, are listed, followed by the designation "emer," and errata pertaining to final regulations are listed. Proposed regulations are not listed here. The table lists the sections in numerical order and shows action taken, the volume, issue and page number where the section appeared, and the effective date of the section.

Notice to State Agencies

Mailing Address: Virginia Code Commission, 910 Capitol Street, General Assembly Building, 2nd Floor, Richmond, VA 23219. You may FAX in your notice; however, we ask that you FAX two copies and do not follow up with a mailed copy. Our FAX number is: (804) 692-0625.

Forms for Filing Material for Publication in *The Virginia Register of Regulations*

All agencies are required to use the appropriate forms when furnishing material for publication in *The Virginia Register of Regulations*. The forms may be obtained from: Virginia Code Commission, 910 Capitol Street, General Assembly Building, 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591.

Internet: Forms and other *Virginia Register* resources may be printed or downloaded from the *Virginia Register* web page:
<http://legis.state.va.us/codecomm/register/regindex.htm>

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 OBJECTIONS
- RR08

ERRATA

DEPARTMENT OF LABOR AND INDUSTRY

Safety and Health Codes Board

Title of Regulation: 16 VAC 25-50-10 et seq. Boiler and Pressure Vessel Rules and Regulations.

Publication: 14:23 VA.R. 3417-3436 August 3, 1998.

Corrections to Proposed Regulation:

Page 3431, column 1, 16 VAC 25-50-370 E 1, line 13, change "M inch" to "3/8 inch"

Page 3431, column 1, 16 VAC 25-50-370 E 4, line 8, after "require" insert "it"

Page 3432, column 1, 16 VAC 25-50-370 F 3, line 4, after "equipped with a" strike "rated"

STATE WATER CONTROL BOARD

Title of Regulation: 9 VAC 25-15-10 et seq. Mediation and Alternative Dispute Resolution.

Publication: 14:21 VA.R. 2837-2838 July 6, 1998.


Correction to Notice of Intended Regulatory Action:


Page 2837, column 1, beginning on line 3, change "9 VAC 20-15-10 et seq." to "9 VAC 25-15-10 et seq."

CALENDAR OF EVENTS

Symbol Key


† Indicates entries since last publication of the *Virginia Register*

 Location accessible to handicapped

 Teletype (TTY)/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) 698-1500 or Senate Information and Constituent Services at (804) 698-7410 or (804) 698-7419/TTY , or visit the General Assembly web site's Legislative Information System (<http://leg1.state.va.us/lis.htm>) and select "Meetings."

VIRGINIA CODE COMMISSION

EXECUTIVE

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES


Virginia Horse Industry Board

October 6, 1998 - 10 a.m. -- Open Meeting
Virginia Cooperative Extension, Lower Level Meeting Room,
168 Spotnap Road, Charlottesville, Virginia. 

A meeting to review and discuss budget items to date, grant guideline revisions, and marketing projects. The board will entertain public comments at the conclusion of all other business for a period not to exceed 30 minutes. Any person who needs any special accommodations in order to participate at the meeting should contact Andrea S. Heid at least five days before the meeting date so that suitable arrangements can be made.

Contact: Andrea S. Heid, Equine Marketing Specialist/Program Manager, Virginia Horse Industry Board, Washington Bldg., 1100 Bank St., Suite 1004, Richmond, VA 23219, telephone (804) 786-5842 or FAX (804) 371-7786.

Virginia Irish Potato Board


† September 15, 1998 - 8 p.m. -- Open Meeting
The Happy Crab Restaurant, 550 Laskin Road, Virginia Beach, Virginia. 

The board will discuss its programs (including its promotion, research and education programs), the annual budget and other business that may come before the board. The board will entertain public comment at the conclusion of all other business for a period not to exceed 30 minutes. Any person who needs any special accommodations in order to participate at the meeting

should contact J. William Mapp at least five days before the meeting date so that suitable arrangements can be made.

Contact: J. William Mapp, Program Director, Virginia Irish Potato Board, P.O. Box 26, Onley, VA 23418, telephone (757) 787-5867 or FAX (757) 787-5973.

Virginia Sweet Potato Board

† September 23, 1998 - 7 p.m. -- Open Meeting
The Island House Restaurant, Water Street, Wachapreague, Virginia. 

The board will discuss its programs (promotion, research and education programs), the annual budget and other business that may come before the board. The board will entertain public comment at the conclusion of all other business for a period not to exceed 30 minutes. Any person who needs any special accommodations in order to participate at the meeting should contact J. William Mapp at least five days before the meeting date so that suitable arrangements can be made.

Contact: J. William Mapp, Program Director, Virginia Sweet Potato Board, P.O. Box 26, Onley, VA 23418, telephone (757) 787-5867 or FAX (757) 787-5973.

STATE AIR POLLUTION CONTROL BOARD

September 10, 1998 - 9 a.m. -- Public Hearing
Department of Environmental Quality, 629 East Main Street, Training Room, 1st Floor, Richmond, Virginia.

September 28, 1998 -- Public comments may be submitted until 4:30 p.m. on this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Air Pollution Control Board intends to amend regulations entitled: **Regulations for the Control and Abatement of Air Pollution Control (Rev. ZZ); 9 VAC 5-20-10 et seq.**

General Provisions; 9 VAC 5-40-10 et seq. Existing Stationary Sources; 9 VAC 5-50-10 et seq. New and Modified Stationary Sources. The regulation amendments concern provisions covering municipal solid waste (MSW) landfills and are summarized below.

Facilities to which the rule applies are MSW landfills which commenced construction, reconstruction, or modification before May 30, 1991. In the Northern Virginia VOC Control Area, the design capacity applicability criteria is 1.0 million megagrams (Mg) or more; the emission rate applicability criteria is emissions of nonmethane organic compounds (NMOCs) greater than or equal to 23 Mg per year. In the remainder of the Commonwealth, the design capacity applicability criteria and the emissions rate applicability criteria are 2.5 million Mg in capacity and 50 Mg per year or more in emissions, respectively.

Landfills with a design capacity equal to or greater than the design capacity applicability criteria must determine their NMOC emissions. If the NMOC emission rate is less than the emission rate applicability criteria, the landfill must submit an emission report, and recalculate the NMOC emission rate until it is equal to or greater than the emission rate applicability criteria or the landfill is closed. If the calculated NMOC emission rate is equal to or greater than the emission rate applicability criteria, a collection and control system design plan must be submitted, followed by the installation of a collection and control system.

Active collection systems must be designed to handle the maximum expected gas flow rate at a sufficient extraction rate and be designed to minimize off-site gas migration. Passive collection systems must be installed with liners, then either destroy the collected gas or treat it for sale or use. Operational standards direct how landfills must operate collection systems in order to minimize emissions and operate safely. Test methods and procedures are provided in order for sources to calculate the NMOC emission rate. Once the NMOC emission rate is established, the landfill is classified as Tier 1, 2, or 3 depending on whether the NMOC emission rate is less than or greater than the emission rate applicability criteria; if the NMOC concentration is determined using a specific sampling procedure; or if the NMOC mass emission rate is determined using specific equations.

Compliance is determined through specific methods. Monitoring of operations is achieved through the installation of various sampling ports and devices. Reporting and recordkeeping requirements are delineated. Finally, installation of emission collection and control equipment capable of meeting the standards must be accomplished by 30 months after the rule's effective date.

Request for Comments: The purpose of this notice is to provide the public with the opportunity to comment on the

proposed regulation and the costs and benefits of the proposal.

Localities Affected: Facilities located in the Northern Virginia VOC Control Area (Arlington County, Fairfax County, Loudoun County, Prince William County, Stafford County, City of Alexandria, City of Fairfax, City of Falls Church, City of Manassas, City of Manassas Park) must meet more restrictive design capacity applicability criteria and emission rate applicability criteria. These special criteria are required in order to meet emission reduction requirements for serious nonattainment areas (as required by Part D of the federal Clean Air Act), rather than to meet requirements for designated pollutants (§ 111(d) of the federal Clean Air Act) and have been in place since 1996.

Location of Proposal: The proposal, an analysis conducted by the department (including a statement of purpose, a statement of estimated impact and benefits of the proposed regulation, an explanation of need for the proposed regulation, an estimate of the impact of the proposed regulation upon small businesses, identification of and comparison with federal requirements, and a discussion of alternative approaches), and any other supporting documents may be examined by the public at the Department's Office of Program Development (Eighth Floor), 629 East Main Street, Richmond, Virginia and the department's regional offices (listed below) between 8:30 a.m. and 4:30 p.m. of each business day until the close of the public comment period.

Southwest Regional Office
Department of Environmental Quality
355 Deadmore Street
Abingdon, Virginia
Ph: (540) 676-4800

West Central Regional Office
Department of Environmental Quality
3019 Peters Creek Road
Roanoke, Virginia
Ph: (540) 562-6700

Lynchburg Satellite Office
Department of Environmental Quality
7705 Timberlake Road
Lynchburg, Virginia
Ph: (804) 582-5120

Valley Regional Office
Department of Environmental Quality
4411 Early Road
Harrisonburg, Virginia 22801
Ph: (540) 574-7800

Fredericksburg Satellite Office
Department of Environmental Quality
300 Central Road, Suite B
Fredericksburg, Virginia
Ph: (540) 899-4600

Northern Regional Office
Department of Environmental Quality
13901 Crown Court

Calendar of Events

Woodbridge, Virginia
Ph: (703) 583-3800

Piedmont Regional Office
Department of Environmental Quality
4949-A Cox Road
Glen Allen, Virginia
Ph: (804) 527-5020

Tidewater Regional Office
Department of Environmental Quality
5636 Southern Boulevard
Virginia Beach, Virginia
Ph: (757) 518-2000

Statutory Authority: § 10.1-1308 of the Code of Virginia.

Public comments may be submitted until 4:30 p.m., September 28, 1998, to the Director, Office of Program Development, Department of Environmental Quality, P.O. Box 10009, Richmond, Virginia 23240.

Contact: Karen G. Sabasteanski, Policy Analyst, Office of Air Program Development, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4426, FAX (804) 698-4510, toll-free 1-800-592-5482 or (804) 698-4021/TTY ☎

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September 17, 1998 - 9 a.m. -- Public Hearing
Department of Environmental Quality, 629 East Main Street,
Training Room, Richmond, Virginia.

October 6, 1998 - Public comments may be submitted until 4:30 p.m. on this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Air Pollution Control Board intends to amend regulations entitled: **9 VAC 5-30-10 et seq. and 9 VAC 5-70-10 et seq. Regulations for the Control and Abatement of Air Pollution (Rev. A97).** The regulation amendments concern provisions covering total suspended particulate (TSP) ambient air quality standards. The proposed action is to remove references to TSP from 9 VAC 5 Chapter 30, Ambient Air Quality Standards, and from 9 VAC 5 Chapter 70, Air Pollution Episodes.

Request for Comments: The purpose of this notice is to provide the public with the opportunity to comment on the proposed regulation and the costs and benefits of the proposal.

Localities Affected: There is no locality which will bear any identified disproportionate material air quality impact due to the proposed regulation which would not be experienced by other localities.

Location of Proposal: The proposal, an analysis conducted by the department (including: a statement of purpose, a statement of estimated impact and benefits of the proposed regulation, an explanation of need for the proposed regulation, an estimate of the impact of the proposed

regulation upon small businesses, identification of and comparison with federal requirements, and a discussion of alternative approaches) and any other supporting documents may be examined by the public at the department's Office of Air Regulatory Development (Eighth Floor), 629 East Main Street, Richmond, Virginia and the department's regional offices (listed below) between 8:30 a.m. and 4:30 p.m. of each business day until the close of the public comment period.

Southwest Regional Office
Department of Environmental Quality
355 Deadmore Street
Abingdon, Virginia
Ph: (540) 676-4800

West Central Regional Office
Department of Environmental Quality
3019 Peters Creek Road
Roanoke, Virginia
Ph: (540) 562-6700

Lynchburg Satellite Office
Department of Environmental Quality
7705 Timberlake Road
Lynchburg, Virginia
Ph: (804) 582-5120

Valley Regional Office
Department of Environmental Quality
4411 Early Road
Harrisonburg, Virginia 22801
Ph: (540) 574-7800

Fredericksburg Satellite Office
Department of Environmental Quality
300 Central Road, Suite B
Fredericksburg, Virginia
Ph: (540) 899-4600

Northern Regional Office
Department of Environmental Quality
13901 Crown Court
Woodbridge, Virginia
Ph: (703) 583-3800

Piedmont Regional Office
Department of Environmental Quality
4949-A Cox Road
Glen Allen, Virginia
Ph: (804) 527-5020

Tidewater Regional Office
Department of Environmental Quality
5636 Southern Boulevard
Virginia Beach, Virginia
Ph: (757) 518-2000

Statutory Authority: § 10.1-1308 of the Code of Virginia.

Public comments may be submitted until 4:30 p.m., October 6, 1998, to the Director, Office of Air Regulatory Development, Department of Environmental Quality, P.O. Box 10009, Richmond, Virginia 23240.

Contact: Karen G. Sabasteanski, Environmental Program Planner, Office of Program Development, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4426, FAX (804) 698-4510, toll-free 1-800-592-5482 or (804) 698-4021/TTY ☎

September 17, 1998 - 9 a.m. -- Public Hearing
Department of Environmental Quality, 629 East Main Street, Training Room, Richmond, Virginia.

October 6, 1998 - Public comments may be submitted until 4:30 p.m. on this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Air Pollution Control Board intends to amend regulations entitled: **9 VAC 5-40-10 et seq. Regulations for the Control and Abatement of Air Pollution (Rev. B97) (repealing Article 38, 9 VAC 5-40-5350 through 9 VAC 5-40-5480. Emission Standards for Dry Cleaning Systems (Rule 4-38))**. The amendments concern provisions covering perchloroethylene dry cleaning source emissions. The proposed action is to repeal the existing regulation.

Request for Comments: The purpose of this notice is to provide the public with the opportunity to comment on the proposed regulation and the costs and benefits of the proposal.

Localities Affected: There is no locality which will bear any identified disproportionate material air quality impact due to the proposed regulation which would not be experienced by other localities.

Location of Proposal: The proposal, an analysis conducted by the department (including: a statement of purpose, a statement of estimated impact and benefits of the proposed regulation, an explanation of need for the proposed regulation, an estimate of the impact of the proposed regulation upon small businesses, identification of and comparison with federal requirements, and a discussion of alternative approaches) and any other supporting documents may be examined by the public at the department's Office of Air Regulatory Development (Eighth Floor), 629 East Main Street, Richmond, Virginia and the department's regional offices (listed below) between 8:30 a.m. and 4:30 p.m. of each business day until the close of the public comment period.

Southwest Regional Office
Department of Environmental Quality
355 Deadmore Street
Abingdon, Virginia
Ph: (540) 676-4800

West Central Regional Office
Department of Environmental Quality
3019 Peters Creek Road
Roanoke, Virginia
Ph: (540) 562-6700

Lynchburg Satellite Office
Department of Environmental Quality
7705 Timberlake Road
Lynchburg, Virginia
Ph: (804) 582-5120

Valley Regional Office
Department of Environmental Quality
4411 Early Road
Harrisonburg, Virginia 22801
Ph: (540) 574-7800

Fredericksburg Satellite Office
Department of Environmental Quality
300 Central Road, Suite B
Fredericksburg, Virginia
Ph: (540) 899-4600

Northern Regional Office
Department of Environmental Quality
13901 Crown Court
Woodbridge, Virginia
Ph: (703) 583-3800

Piedmont Regional Office
Department of Environmental Quality
4949-A Cox Road
Glen Allen, Virginia
Ph: (804) 527-5020

Tidewater Regional Office
Department of Environmental Quality
5636 Southern Boulevard
Virginia Beach, Virginia
Ph: (757) 518-2000

Statutory Authority: § 10.1-1308 of the Code of Virginia.

Public comments may be submitted until 4:30 p.m., October 6, 1998, to the Director, Office of Air Regulatory Development, Department of Environmental Quality, P.O. Box 10009, Richmond, Virginia 23240.

Contact: Mary E. Major, Environmental Program Manager, Office of Program Development, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4423, FAX (804) 698-4510, toll-free 1-800-592-5482 or (804) 698-4021/TTY ☎

September 17, 1998 - 9 a.m. -- Public Hearing
Department of Environmental Quality, 629 East Main Street, Training Room, Richmond, Virginia.

October 6, 1998 - Public comments may be submitted until 4:30 p.m. on this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Air Pollution Control Board intends to amend regulations entitled: **9 VAC 5-40-10 et seq. Regulations for the Control and Abatement of Air Pollution (Rev. E97)**. The regulation amendments concern provisions covering fuel

Calendar of Events

burning equipment. The regulation has been revised in order to clarify the fact that internal combustion engines (stationary combustion turbines) are considered to be fuel burning equipment, and that stationary internal combustion engines have been specifically exempted from this rule.

Request for Comments: The purpose of this notice is to provide the public with the opportunity to comment on the proposed regulation and the costs and benefits of the proposal.

Localities Affected: There is no locality which will bear any identified disproportionate material air quality impact due to the proposed regulation which would not be experienced by other localities.

Location of Proposal: The proposal, an analysis conducted by the department (including: a statement of purpose, a statement of estimated impact and benefits of the proposed regulation, an explanation of need for the proposed regulation, an estimate of the impact of the proposed regulation upon small businesses, identification of and comparison with federal requirements, and a discussion of alternative approaches) and any other supporting documents may be examined by the public at the department's Office of Air Regulatory Development (Eighth Floor), 629 East Main Street, Richmond, Virginia and the department's regional offices (listed below) between 8:30 a.m. and 4:30 p.m. of each business day until the close of the public comment period.

Southwest Regional Office
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Ph: (540) 899-4600

Northern Regional Office
Department of Environmental Quality

13901 Crown Court
Woodbridge, Virginia
Ph: (703) 583-3800

Piedmont Regional Office
Department of Environmental Quality
4949-A Cox Road
Glen Allen, Virginia
Ph: (804) 527-5020

Tidewater Regional Office
Department of Environmental Quality
5636 Southern Boulevard
Virginia Beach, Virginia
Ph: (757) 518-2000

Statutory Authority: § 10.1-1308 of the Code of Virginia.

Public comments may be submitted until 4:30 p.m., October 6, 1998, to the Director, Office of Air Regulatory Development, Department of Environmental Quality, P.O. Box 10009, Richmond, Virginia 23240.

Contact: Karen G. Sabasteanski, Environmental Program Planner, Office of Program Development, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4426, FAX (804) 698-4510, toll-free 1-800-592-5482 or (804) 698-4021/TTY ☎

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September 17, 1998 - 9 a.m. -- Public Hearing
Department of Environmental Quality, 629 East Main Street,
Training Room, Richmond, Virginia.

October 6, 1998 - Public comments may be submitted until 4:30 p.m. on this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Air Pollution Control Board intends to amend regulations entitled: **9 VAC 5-40-10 et seq. Regulations for the Control and Abatement of Air Pollution (Rev. L97)**. The amendments concern provisions covering pulp and paper mills. The regulation has been revised to clarify the rule's applicability.

Request for Comments: The purpose of this notice is to provide the public with the opportunity to comment on the proposed regulation and the costs and benefits of the proposal.

Localities Affected: There is no locality which will bear any identified disproportionate material air quality impact due to the proposed regulation which would not be experienced by other localities.

Location of Proposal: The proposal, an analysis conducted by the department (including: a statement of purpose, a statement of estimated impact and benefits of the proposed regulation, an explanation of need for the proposed regulation, an estimate of the impact of the proposed regulation upon small businesses, identification of and comparison with federal requirements, and a discussion of

alternative approaches) and any other supporting documents may be examined by the public at the department's Office of Air Regulatory Development (Eighth Floor), 629 East Main Street, Richmond, Virginia and the department's regional offices (listed below) between 8:30 a.m. and 4:30 p.m. of each business day until the close of the public comment period.

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Tidewater Regional Office
Department of Environmental Quality
5636 Southern Boulevard
Virginia Beach, Virginia
Ph: (757) 518-2000

Statutory Authority: § 10.1-1308 of the Code of Virginia.

Public comments may be submitted until 4:30 p.m., October 6, 1998, to the Director, Office of Air Regulatory Development, Department of Environmental Quality, P.O. Box 10009, Richmond, Virginia 23240.

Contact: Mary E. Major, Environmental Program Manager, Office of Program Development, Department of

Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4423, FAX (804) 698-4510, toll-free 1-800-592-5482 or (804) 698-4021/TTY ☎

September 17, 1998 - 10 a.m. -- Open Meeting

Via electronic communication. Persons interested in attending the meeting can do so by sitting in on the conference call at the Department of Environmental Quality, 629 East Main Street, Richmond, or by calling in. Persons who wish to call in should contact Cindy M. Berndt before Thursday, September 3, 1998.

A quarterly meeting held by conference call. The agenda is currently limited to consideration of White Top Mountain attainment redesignation. Additional items may be added. Information on the agenda will be available by September 1, 1998.

Contact: Cindy M. Berndt, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4378.

ALCOHOLIC BEVERAGE CONTROL BOARD

September 9, 1998 - 9:30 a.m. -- Open Meeting

September 21, 1998 - 9:30 a.m. -- Open Meeting

October 5, 1998 - 9:30 a.m. -- Open Meeting

October 19, 1998 - 9:30 a.m. -- Open Meeting

Department of Alcoholic Beverage Control, 2901 Hermitage Road, Richmond, Virginia. ♿

A meeting to receive reports from and discuss activities of staff members, and to discuss other matters not yet determined.

Contact: W. Curtis Coleburn, Secretary to the Board, Department of Alcoholic Beverage Control, 2901 Hermitage Rd., P.O. Box 27491, Richmond, VA 23261, telephone (804) 213-4409 or FAX (804) 213-4442.

BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS, CERTIFIED INTERIOR DESIGNERS AND LANDSCAPE ARCHITECTS


† **September 17, 1998 - 9 a.m.** -- Open Meeting

Department of Professional and Occupational Regulation, 3600 West Broad Street, 5th Floor, Richmond, Virginia. ♿
(Interpreter for the deaf provided upon request)


The Landscape Architect Section will conduct board business.


Contact: Mark N. Courtney, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-2475 or (804) 367-9753/TTY ☎

Calendar of Events


† **September 24, 1998 - 9 a.m.** -- Open Meeting
Department of Professional and Occupational Regulation,
3600 West Broad Street, 5th Floor, Richmond, Virginia. 
(Interpreter for the deaf provided upon request)

The Interior Design Section will conduct board business.


Contact: Mark N. Courtney, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-2475 or (804) 367-9753/TTY 

September 24, 1998 - 9:30 a.m. -- Open Meeting
Department of Professional and Occupational Regulation,
3600 West Broad Street, Conference Room 4 East,
Richmond, Virginia. 

Members of the Land Surveyor Section of the board and invited subject matter experts will meet to conduct an exam workshop. A public comment period will be held at the beginning of the workshop. After the public comment period, the workshop will be conducted in closed executive session under authority of § 2.1-344 A 11 of the Code of Virginia due to the confidential nature of the examination.

Contact: Sharon M. Sweet, Examination Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8572, FAX (804) 367-2474 or (804) 367-9753/TTY 

VIRGINIA COUNCIL ON ASSISTIVE TECHNOLOGY


September 2, 1998 - 9 a.m. -- Open Meeting
Department of Rehabilitative Services, 8004 Franklin Farms Drive, Richmond, Virginia. 
(Interpreter for the deaf provided upon request)

A regular business meeting.

Contact: VCAT Staff, 8004 Franklin Farms Dr., Richmond, VA 23288, telephone (804) 662-9990, toll-free 1-800-552-5019 or 1-800-464-9950/TTY 

COMPREHENSIVE SERVICES FOR AT-RISK YOUTH AND THEIR FAMILIES


State Management Team

† **September 3, 1998 - 9:15 a.m.** -- Open Meeting
St. Joseph's Villa, 8000 Brook Road, Richmond, Virginia. 
(Interpreter for the deaf provided upon request)


A meeting to discuss recommendations for policy and procedure to the State Executive Council on the Comprehensive Services Act.

Contact: Elisabeth Hutton, Secretary, Department of Health, P.O. Box 2448, Richmond, VA 23218, telephone (804) 371-4099.

BOARD FOR BARBERS

† **October 5, 1998 - 10 a.m.** -- Open Meeting
Department of Professional and Occupational Regulation,
3600 West Broad Street, Richmond, Virginia. 

An open meeting to discuss regulatory review and other matters requiring board action, including disciplinary cases. All meetings are subject to cancellation. Time of meeting subject to change. Call board office at least 24 hours in advance for confirmation. A public comment period will be held at the beginning of the meeting. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the department at least 10 days prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: Nancy Taylor Feldman, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8590 or (804) 367-9753/TTY 

BOARD FOR BRANCH PILOTS

† **October 29, 1998 - 9:30 a.m.** -- Public Hearing
Virginia Port Authority, 600 World Trade Center, 6th Floor,
Norfolk, Virginia.


† **October 30, 1998** - Public 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 Board for Branch Pilots intends to amend regulations entitled: **18 VAC 45-20-10 et seq. Board for Branch Pilots Regulations.** The purpose of the proposed amendments is to increase fees to comply with § 54.1-113 of the Code of Virginia.

Statutory Authority: §§ 54.1-902 and 54.1-907 of the Code of Virginia.

Contact: Mark N. Courtney, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514.


CHARITABLE GAMING COMMISSION

† **September 14, 1998 - 9 a.m.** -- Open Meeting
J. Sargeant Reynolds Corporate Center, North Run Business Park, 1630 East Parham Road, Richmond, Virginia. 


A commission training session.

Contact: Kristi Leslie, Administrative Staff Assistant, Charitable Gaming Commission, 101 N. 14th St., 17th Floor, Richmond, VA 23219, telephone (804) 786-3014 or FAX (804) 786-1079.


CHESAPEAKE BAY LOCAL ASSISTANCE DEPARTMENT

† **September 21, 1998 - 10 a.m.** -- Open Meeting
Department of Social Services Building, Conference Room 3,
Lower Level, 730 East Broad Street, Richmond, Virginia. 
(Interpreter for the deaf provided upon request)


The board will conduct general business, including review of local Chesapeake Bay Preservation Area programs. Public comment will be taken in the meeting. A tentative agenda will be available September 1, 1998, from the Chesapeake Bay Local Assistance Department.


Contact: Carolyn J. Elliott, Executive Secretary, Chesapeake Bay Local Assistance Department, 805 E. Broad St., Suite 701, Richmond, VA 23219, telephone (804) 225-3440, FAX (804) 225-3447 or toll-free (800) 243-7229/TTY 

CHESAPEAKE BAY LOCAL ASSISTANCE BOARD


† **October 13, 1998 - 10 a.m.** -- Open Meeting
Chesapeake Bay Local Assistance Department, 805 East Broad Street, Suite 701, Richmond, Virginia. 
(Interpreter for the deaf provided upon request)

The Northern Area Review Committee will review Chesapeake Bay Preservation Area programs for the northern area. Persons interested in observing should call the Chesapeake Bay Local Assistance Department to verify meeting time, location and schedule. No comments from the public will be entertained at the review committee meeting, however, written comments are welcome.


Contact: Carolyn J. Elliott, Executive Secretary, Chesapeake Bay Local Assistance Department, 805 E. Broad St., Suite 701, Richmond, VA 23219, telephone (804) 225-3440, FAX (804) 225-3447 or toll-free (800) 243-7229/TTY 

† **October 13, 1998 - 2 p.m.** -- Open Meeting
Chesapeake Bay Local Assistance Department, 805 East Broad Street, Suite 701, Richmond, Virginia. 
(Interpreter for the deaf provided upon request)


The Southern Area Review Committee will review Chesapeake Bay Preservation Area programs for the southern area. Persons interested in observing should call the Chesapeake Bay Local Assistance Department to verify meeting time, location and schedule. No comments from the public will be entertained at the review committee meeting, however, written comments are welcome.


Contact: Carolyn J. Elliott, Executive Secretary, Chesapeake Bay Local Assistance Department, 805 E. Broad St., Suite 701, Richmond, VA 23219, telephone (804) 225-3440, FAX (804) 225-3447 or toll-free (800) 243-7229/TTY 

STATE BOARD FOR COMMUNITY COLLEGES


September 9, 1998 - 2:30 p.m. -- Open Meeting
Virginia Community College System, James Monroe Building, 101 North 14th Street, Richmond, Virginia. 
(Interpreter for the deaf provided upon request)

Meetings of board committees will be held throughout the day with times and meeting rooms to be announced.

Contact: Dr. Joy S. Graham, Assistant Chancellor, Public Affairs, Virginia Community College System, James Monroe Bldg., 101 N. 14th St., 15th Floor, Richmond, VA 23219, telephone (804) 225-2126, FAX (804) 371-0085, or (804) 371-8504/TTY 


September 10, 1998 - 8:30 a.m. -- Open Meeting
Virginia Community College System, James Monroe Building, 101 North 14th Street, Godwin-Hamel Board Room, 15th Floor, Richmond, Virginia. 
(Interpreter for the deaf provided upon request)

A regular board meeting.


Contact: Dr. Joy S. Graham, Assistant Chancellor, Public Affairs, Virginia Community College System, James Monroe Bldg., 101 N. 14th St., 15th Floor, Richmond, VA 23219, telephone (804) 225-2126, FAX (804) 371-0085, or (804) 371-8504/TTY 

COMPENSATION BOARD


† **September 24, 1998 - 11 a.m.** -- Open Meeting

† **October 29, 1998 - 11 a.m.** -- Open Meeting
202 North 9th Street, 10th Floor, Richmond, VA. 
(Interpreter for the deaf provided upon request)


Monthly board meeting.

Contact: Cindy Waddell, Administrative Assistant, Compensation Board, 202 N. 9th St., Richmond, VA 23219, telephone (804) 786-0786, FAX (804) 371-0235 or (804) 786-0786/TTY 

DEPARTMENT OF CONSERVATION AND RECREATION

† **September 10, 1998 - 11 a.m.** -- Open Meeting
Twin Lakes State Park, Green Bay, Virginia. 

A regular business meeting of the Virginia State Parks Foundation Board of Directors. There will be a public comment period following the business meeting.

Contact: Leon App, Regulatory Coordinator, Department of Conservation and Recreation, Division of Planning and Recreation Resources, 203 Governor St., Suite 302, Richmond, VA 23219, telephone (804) 786-4570, FAX (804) 786-6141 or (804) 786-2121/TTY 

Calendar of Events

Falls of the James Scenic River Advisory Board

September 3, 1998 - Noon -- Open Meeting
City Hall, 900 East Broad Street, Planning Commission Conference Room, 5th Floor, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A meeting to review river issues. A public comment period will follow the business meeting.

Contact: Richard G. Gibbons, Environmental Program Manager, Department of Conservation and Recreation, Division of Planning and Recreation Resources, 203 Governor St., Suite 326, Richmond, VA 23219, telephone (804) 786-4132, FAX (804) 371-7899 or (804) 786-2121/TTY

BOARD FOR CONTRACTORS

† September 9, 1998 - 9 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia.

A regularly scheduled quarterly meeting of the Recovery Fund Committee which will consider claims filed under the Virginia Contractor Transaction Recovery Fund Act. The meeting is open to the public, however, a portion of the board's business may be discussed in executive session. The department fully complies with the Americans with Disabilities Act. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact Ms. Pratt Stelly.

Contact: Ms. Pratt P. Stelly, Assistant Director, Enforcement Division, Post Adjudication, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-2683 or (804) 367-9753/TTY

October 2, 1998 - Public comments may be submitted through this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board for Contractors intends to amend regulations entitled: **18 VAC 50-30-10 et seq. Board for Contractors Tradesman Rules and Regulations.** The proposed amendments add backflow prevention device workers to the trades regulated by the Tradesman Program. The voluntary, statewide certification program for backflow prevention device workers mandated by the General Assembly will enable such workers to practice in different areas of the Commonwealth without having to apply for certification in each jurisdiction separately. Except for fees for the new program, there are no changes in the current fee structure of the Tradesman Program. Some editorial changes are also made.

Statutory Authority: §§ 54.1-201, 54.1-1102 and Article 3 (§ 54.1-1128 et seq.) of Chapter 11 of Title 54.1 of the Code of Virginia.

Public comments may be submitted until October 2, 1998, to George O. Bridewell, Administrator, Board for Contractors, 3600 West Broad Street, Richmond, Virginia 23230.

Contact: Geralde W. Morgan, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-6166 or FAX (804) 367-2474.

BOARD OF CORRECTIONAL EDUCATION

September 18, 1998 - 10 a.m. -- Open Meeting
Department of Correctional Education, James Monroe Building, 101 North 14th Street, 7th Floor, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A monthly meeting to discuss general business.

Contact: Patty Ennis, Board Clerk, Department of Correctional Education, James Monroe Bldg., 101 N. 14th St., 7th Floor, Richmond, VA 23219, telephone (804) 225-3314.

BOARD FOR COSMETOLOGY

September 14, 1998 - 10 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, 5th Floor, Richmond, Virginia.

An open meeting to discuss regulatory review and other matters requiring board action, including disciplinary cases. All meetings are subject to cancellation. Time of the meeting is subject to change. Call the board office at least 24 hours in advance. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact Nancy Taylor Feldman. The department fully complies with the Americans with Disabilities Act. Please notify the department of your request at least 10 days in advance.

Contact: Nancy Taylor Feldman, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8590 or (804) 367-9753/TTY

CRIMINAL JUSTICE SERVICES BOARD

September 23, 1998 - 10 a.m. -- Open Meeting
General Assembly Building, 910 Capitol Square, House Room D, Richmond, Virginia.

A general business meeting to consider various grant applications.

Contact: Christine Y. Wiedemer, Administrative Staff Assistant, Department of Criminal Justice Services, 805 E. Broad St., Richmond, VA 23219, telephone (804) 786-8718.

CRIMINAL JUSTICE SERVICES BOARD AND COMMITTEE ON TRAINING

September 23, 1998 - 9 a.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia. ♿

A meeting of both groups to conduct general business. The Criminal Justice Services Board will also consider various grant applications.

Contact: George B. Gotschalk, Regulatory Review Coordinator, Committee on Training, and Christine Y. Wiedemer, Administrative Staff Assistant, Criminal Justice Services Board, Department of Criminal Justice Services, 805 E. Broad St., Richmond, VA 23219, telephone (804) 786-8001.

BOARD OF DENTISTRY

† **September 17, 1998 - 9 a.m.** -- Open Meeting
The Williamsburg Lodge, 310 England Street, Dominion Room, Williamsburg, Virginia. ♿ (Interpreter for the deaf provided upon request)

A business meeting with committee reports, upcoming meetings, minutes, review of Consent Orders and general request made to the board. The board is planning to discuss the following items: (i) emergency regulations pursuant to § 54.1-2712.1 of the Code of Virginia, restricted volunteer license for certain dentists and § 54.1-2726.1 restricted volunteer license for certain dental hygienists; (ii) consider amending the current clinical examination contract to two or more examination per year in Virginia; (iii) consider outsourcing the jurisprudence and x-ray exams and (iv) election of officers for 98-99 year. Public comment will be received at the beginning of the meeting.

Contact: Marcia J. Miller, Executive Director, Board of Dentistry, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9906, FAX (804) 662-9943 or (804) 662-7197/TTY ♿

† **September 18, 1998 - 9 a.m.** -- Open Meeting
The Williamsburg Lodge, 310 England Street, Dominion Room, Williamsburg, Virginia. ♿ (Interpreter for the deaf provided upon request)

A formal administrative hearing in the matter of a licensee. This is a public meeting, however, no public comment will be taken.

Contact: Marcia J. Miller, Executive Director, Board of Dentistry, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9906, FAX (804) 662-9943 or (804) 662-7197/TTY ♿

September 18, 1998 - 1 p.m. -- Public Hearing
The Williamsburg Lodge, 310 South England Street, Williamsburg, Virginia.

October 2, 1998 - Public 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 Board of Dentistry intends to amend regulations entitled: **18 VAC 60-20-10 et seq. Virginia Board of Dentistry Regulations.** Amendments are proposed pursuant to Executive Order 15 (94), which called for clarification, simplification, and where possible, a reduction in the regulatory burden. The proposed amendments allow dentists to delegate acts which are not specifically reserved for dentists/dental hygienists and which are consistent with the training and experience of the assistant.

Statutory Authority: § 54.1-2400 and Chapter 27 (§ 54.1-2700 et seq.) of Title 54.1 of the Code of Virginia.

Contact: Marcia J. Miller, Executive Director, Board of Dentistry, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9906 or FAX (804) 662-9943.

September 18, 1998 - 1 p.m. -- Public Hearing
The Williamsburg Lodge, 310 South England Street, Williamsburg, Virginia.

October 2, 1998 - Public 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 Board of Dentistry intends to amend regulations entitled: **18 VAC 60-20-10 et seq. Virginia Board of Dentistry Regulations.** Amendments are proposed to increase fees for licensees of the Board of Dentistry in order to comply with a statutory mandate for the agency to raise revenues sufficient to meet expenses.

Statutory Authority: §§ 54.1-113 and 54.1-2400 of the Code of Virginia.

Contact: Marcia J. Miller, Executive Director, Board of Dentistry, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9906 or FAX (804) 662-9943.


VIRGINIA ECONOMIC DEVELOPMENT PARTNERSHIP

† **September 1, 1998 - 9:30 a.m.** -- Open Meeting
Department of Economic Development, Riverfront Plaza, 901 East Byrd Street, West Tower, 19th Floor, Board Room, Richmond, Virginia.


Calendar of Events


The Personnel Committee-Board of Directors will meet to review personnel policies and compensation for the Virginia Economic Development Partnership.

Contact: Pandy Brazeau, Administrative Assistant, Virginia Economic Development Partnership, P.O. Box 798, Richmond, VA 23218-0798, telephone (804) 371-8106 or FAX (804) 371-8112.

September 1, 1998 - 11 a.m. -- Open Meeting
Department of Economic Development, Riverfront Plaza, 901 East Byrd Street, West Tower, 19th Floor, Board Room, Richmond, Virginia. 

A meeting of the Board of Directors to discuss matters related to the Virginia Economic Development Partnership.

Contact: Kimberly M. Ellett, Administrative Assistant, Virginia Economic Development Partnership, P.O. Box 798, Richmond, VA 23218-0798, telephone (804) 371-8108, FAX (804) 371-8112 or (804) 371-0327/TTY 

† October 6, 1998 - 10 a.m. -- Open Meeting
Department of Economic Development, Riverfront Plaza, 901 East Byrd Street, West Tower, 19th Floor, Board Room, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A meeting of the Motion Picture Development Committee of the Virginia Tourism Corporation Board to discuss a production incentive plan in Virginia. Agenda available upon request. Public comment will be taken at the beginning of the meeting.

Contact: Judy Bulls, Assistant to the President and CEO of the Virginia Tourism Corporation, 901 E. Byrd St., Richmond, VA 23219, telephone (804) 371-8174 or FAX (804) 786-1919.

LOCAL EMERGENCY PLANNING COMMITTEE - CHESTERFIELD COUNTY

September 3, 1998 - 5:30 p.m. -- Open Meeting

† October 1, 1998 - 5:30 p.m. -- Open Meeting
6610 Public Safety Way, Chesterfield, Virginia.


A regular meeting.

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

LOCAL EMERGENCY PLANNING COMMITTEE - WINCHESTER


September 2, 1998 - 3 p.m. -- Open Meeting
Shawnee Fire Company, 2333 Roosevelt Boulevard, Winchester, Virginia.

A meeting to review SARA Title III Emergency Response Plan update.

Contact: L. A. Miller, Fire and Rescue Chief, Winchester Fire and Rescue Dept., 126 N. Cameron St., Winchester, VA 22601, telephone (540) 662-2298 or (540) 665-5645/TTY 

DEPARTMENT OF ENVIRONMENTAL QUALITY


Virginia Ground Water Protection Steering Committee

September 15, 1998 - 9 a.m. -- Open Meeting
Department of Environmental Quality, 629 East Main Street, First Floor, Training Room, Richmond, Virginia. 

A regularly scheduled meeting. Anyone interested in ground water protection issues is encouraged to attend. To obtain a meeting agenda, contact Mary Ann Massie.

Contact: Mary Ann Massie, Environmental Program Planner, Department of Environmental Quality, P. O. Box 10009, Richmond, VA 23240-0009, telephone (804) 698-4042 or FAX (804) 698-4032.

DEPARTMENT OF FORESTRY

† September 16, 1998 - 10 a.m. -- Open Meeting
Holiday Lake 4-H Educational Center, Appomattox, Virginia. 


The Reforestation of Timberlands Board will evaluate accomplishments and budget usage in 1997-98 fiscal year; review 1998-99 budget line items; discuss allowing RT cost-share availability to DOF employee landowners; and discuss draft of legislative report on RT Program and hardwood resource as needed.

Contact: Phil T. Grimm, Staff Forester, P.O. Box 3758, Charlottesville, VA 22903, telephone (804) 977-6555 or FAX (804) 296-2369.

BOARD OF FUNERAL DIRECTORS AND EMBALMERS

September 3, 1998 - 9 a.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 4th Floor, Richmond, Virginia. 

A meeting of the Legislative Committee to begin preparation of legislative proposals for the 2000 Session of the General Assembly. Public comments will be received at the beginning of the meeting.

Contact: Cheri Emma-Leigh, Administrative Staff Assistant, Board of Funeral Directors and Embalmers, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9907, FAX (804) 662-9523 or (804) 662-7197/TTY 

September 9, 1998 - 9 a.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 4th Floor, Richmond, Virginia. 

A meeting of the Task Force Committee on Resident Trainee Program to discuss the study guide and other related issues. Public comments will be received at the beginning of the meeting for 15 minutes.

Contact: Cheri Emma-Leigh, Administrative Staff Assistant, Board of Funeral Directors and Embalmers, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9907, FAX (804) 662-9523 or (804) 662-7197/TTY ☎

September 16, 1998 - 9 a.m. -- Open Meeting

October 19, 1998 - 9 a.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 4th Floor, Richmond, Virginia. ♿

A general board meeting. Public comment will be received during the first 15 minutes of the meeting. Formal hearings will follow at 1 p.m.

Contact: Cheri Emma-Leigh, Administrative Staff Assistant, Board of Funeral Directors and Embalmers, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9907, FAX (804) 662-9523 or (804) 662-7197/TTY ☎

September 17, 1998 - 9 a.m. -- Public Hearing
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 2, Richmond, Virginia.

October 2, 1998 - Public 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 Board of Funeral Directors and Embalmers intends to amend regulations entitled: **18 VAC 65-20-10 et seq. Regulations of the Board of Funeral Directors and Embalmers and 18 VAC 65-40-10 et seq. Resident Trainee Program for Funeral Service.** Amendments are proposed to increase fees for licensees of the Board of Funeral Directors and Embalmers in order to comply with a statutory mandate for the agency to raise revenues sufficient to meet expenses.

Statutory Authority: §§ 54.1-2400 and 54.1-113 of the Code of Virginia.

Contact: Elizabeth Young-Tisdale, Executive Director, Board of Funeral Directors and Embalmers, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9907 or FAX (804) 662-9943.

September 17, 1998 - 9 a.m. -- Public Hearing
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 2, Richmond, Virginia.

October 2, 1998 - Public 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 Board of Funeral Directors and Embalmers intends to amend regulations entitled: **18 VAC 65-20-10 et seq. Regulations of the Board of Funeral Directors and Embalmers.** Amendments are proposed pursuant to Executive Order 15 (94), which called for clarification, simplification and, where possible, a reduction in the regulatory burden. Regulations which are duplicative of provisions of the Code of Virginia or the Funeral Industry Rule of the Federal Trade Commission are eliminated.

Statutory Authority: §§ 54.1-2400 and Chapter 28 (§ 54.1-2800 et seq.) of Title 54.1 of the Code of Virginia.

Contact: Elizabeth Young-Tisdale, Executive Director, Board of Funeral Directors and Embalmers, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9907 or FAX (804) 662-9943.

September 17, 1998 - 9 a.m. -- Public Hearing
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 2, Richmond, Virginia.

October 2, 1998 - Public 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 Board of Funeral Directors and Embalmers intends to amend regulations entitled: **18 VAC 65-30-10 et seq. Regulations for Preneed Funeral Planning.** Amendments are proposed pursuant to Executive Order 15 (94) in order to make regulations clearer, simpler, and less burdensome. The proposed amendments will eliminate the requirement for prior approval by the board of any preneed contract and disclosure statements.

Statutory Authority: §§ 54.1-2400, 54.1-2803 and 54.1-2820 of the Code of Virginia.

Contact: Elizabeth Young-Tisdale, Executive Director, Board of Funeral Directors and Embalmers, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9907 or FAX (804) 662-9943.

September 17, 1998 - 9 a.m. -- Public Hearing
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 2, Richmond, Virginia.

October 2, 1998 - Public 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 Board of Funeral Directors and Embalmers intends to amend regulations entitled: **18 VAC 65-40-10 et seq. Resident Trainee Program for Funeral Service.** Amendments are proposed pursuant to Executive Order 15 (94) in order to

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make regulations clearer, simpler, and less burdensome. Amendments will eliminate duplicative regulations and requirements such as a certain number of funerals and embalmings in one calendar year in one funeral establishment.

Statutory Authority: §§ 54.1-2400 and Chapter 28 (§ 54.1-2800 et seq.) of Title 54.1 of the Code of Virginia.

Contact: Elizabeth Young-Tisdale, Executive Director, Board of Funeral Directors and Embalmers, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9907 or FAX (804) 662-9943.


Special Conference Committee

October 5, 1998 - 9 a.m. -- Open Meeting

October 6, 1998 - 9 a.m. -- Open Meeting


Department of Health Professions, 6606 West Broad Street, 4th Floor, Richmond, Virginia. 

A meeting to conduct informal conference hearings. No public comment will be received.


Contact: Cheri Emma-Leigh, Administrative Staff Assistant, Board of Funeral Directors and Embalmers, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9907, FAX (804) 662-9523 or (804) 662-7197/TTY 

DEPARTMENT OF GAME AND INLAND FISHERIES


† September 1, 1998 - 7:30 p.m. -- Open Meeting

Virginia Department of Game & Inland Fisheries Regional Office, 4725 Lee Highway, Verona, Virginia.  (Interpreter for the deaf provided upon request)


† September 2, 1998 - 7:30 p.m. -- Open Meeting

National Rifle Association Building Auditorium, 11250 Waples Mill Road, Fairfax, Virginia.  (Interpreter for the deaf provided upon request)


† September 2, 1998 - 7:30 p.m. -- Open Meeting

Lynchburg Public Library, Community Meeting Room, 2315 Memorial Avenue, Lynchburg, Virginia.  (Interpreter for the deaf provided upon request)


† September 3, 1998 - 7:30 p.m. -- Open Meeting

Roanoke County Administration Building, Board of Supervisors Meeting Room, First Floor, 5204 Bernard Drive, Roanoke, Virginia.  (Interpreter for the deaf provided upon request)


† September 3, 1998 - 7:30 p.m. -- Open Meeting

Virginia Department of Game & Inland Fisheries, Main Conference Room, 4000 West Broad Street, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


† September 8, 1998 - 7:30 p.m. -- Open Meeting

Mountain Empire Community College, Dalton Cantrell Auditorium, U.S. Highway 23, South, Big Stone Gap, Virginia. 

† September 9, 1998 - 7:30 p.m. -- Open Meeting

Wytheville Community College, Grayson Hall – The Commons, 1000 E. Main Street, Wytheville, Virginia.  (Interpreter for the deaf provided upon request)


† September 9, 1998 - 7:30 p.m. -- Open Meeting

Toana Middle School, 7817 Richmond Road, Williamsburg, Virginia.  (Interpreter for the deaf provided upon request)


The department is holding a series of eight open meetings for the purpose of receiving the public's comments regarding proposed changes to regulations governing fish and fishing, including seasons, creel limits, methods of take, and possession. The proposals addressed at the meeting series are those regulations or regulation amendments which the Board of Game and Inland Fisheries proposed at its August 20(-21), 1998 meeting. A public comment period opened on the proposed regulation amendments August 20 and will close October 22, 1998. The proposals will be available at the public meetings; they may be viewed at the Department of Game and Inland Fisheries' web site, www.dgif.state.va.us, at the department's central and regional offices, and will be published in the September 14 issue of the Virginia Register. The public input meeting series is being held prior to the next scheduled board meeting, that of October 22-23, 1998, at which the board intends to adopt final regulations or regulation amendments. The eight public input meetings are supplemental public hearings to the two hearings which occur at the August 20(-21) and October 22(-23), 1998 board meetings. Comments regarding the proposed regulations which are received at the public input meetings will be summarized and reported to the board for their consideration at their October 22(-23), 1998 meeting, prior to their taking final action on the proposed regulations.

Contact: Phil Smith, Policy Analyst, Department of Game and Inland Fisheries, 4010 W. Broad St., Richmond, VA 23230, telephone (804) 367-1000 or FAX (804) 367-2311.


September 14, 1998 - 7 p.m. -- Public Hearing

Jefferson Forest High School, Perrowville Road, Forest, Virginia.  (Interpreter for the deaf provided upon request)


September 15, 1998 - 7 p.m. -- Public Hearing


Fort Defiance High School, State Route 616, Fort Defiance, Virginia.  (Interpreter for the deaf provided upon request)

September 16, 1998 - 7 p.m. -- Public Hearing

Wytheville Community College, 1000 East Main Street, Wytheville, Virginia.  (Interpreter for the deaf provided upon request)

September 17, 1998 - 7 p.m. -- Public Hearing


James City-Williamsburg Community Center, 5301 Longhill Road, Williamsburg, Virginia.  (Interpreter for the deaf provided upon request)

September 17, 1998 - 7 p.m. -- Public Hearing
Lee Hill Community Center, 1 Hugh Cosner Drive,
Fredericksburg, Virginia.  (Interpreter for the deaf provided
upon request)

The Virginia Department of Game and Inland Fisheries (DGIF) is hosting five public meetings in September to receive suggestions from hunters, trappers, and all other interested parties for changes to the state hunting and trapping regulations. Interested individuals are invited to join the DGIF staff to discuss these regulations and department programs. The suggestions received will be considered by department staff as they develop recommendations for presentation to the Board of Game and Inland Fisheries in the spring of 1999.


Contact: Phil Smith, Policy Analyst, Department of Game and Inland Fisheries, 4010 W. Broad St., Richmond, VA 23230, telephone (804) 367-8341 or FAX (804) 367-2311.

GEORGE MASON UNIVERSITY

† **September 9, 1998 - 7 p.m.** -- Open Meeting
George Mason University, Mason Hall, Board Room D23,
Fairfax, Virginia. 

The annual meeting of the Board of Visitors. The purpose of the meeting will be to elect officers to the board and to hear a report from the president on the future of the university. An agenda will be ready seven days prior to the meeting.


Contact: Patricia E. Roney, Program Support Tech. Sr., George Mason University, President's Office, Fairfax, VA 22030, telephone (703) 993-8700.

† **October 21, 1998 - TBA** -- Open Meeting
George Mason University, Mason Hall, Board Room D23,
Fairfax, Virginia. 

A regular meeting of the Board of Visitors to hear reports of the standing committees of the board and to act on those recommendations presented by the standing committees. An agenda will be ready seven days prior to the board meeting for those individuals or organizations who request it.


Contact: Patricia E. Roney, Program Support Tech. Sr., George Mason University, President's Office, Fairfax, VA 22030, telephone (703) 993-8700.

STATE BOARD OF HEALTH

September 10, 1998 - 10 a.m. -- Open Meeting
Eastern Virginia Medical School, Old Dominion University,
President's Board Room, Norfolk, Virginia.  (Interpreter for the deaf provided upon request)

A work session of the board.

Contact: Paul W. Matthias, Department of Health, 1500 E. Main St., Room 227, Richmond, VA 23219, telephone (804) 371-2909 or FAX (804) 786-4616.

September 11, 1998 - 9 a.m. -- Open Meeting
Eastern Virginia Medical School, Old Dominion University,
Hofheimer Hall, Norfolk, Virginia.  (Interpreter for the deaf provided upon request)


A regular business meeting.

Contact: Paul W. Matthias, Department of Health, 1500 E. Main St., Room 227, Richmond, VA 23219, telephone (804) 371-2909 or FAX (804) 786-4616.


September 21, 1998 -- Public 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 State Board of Health intends to amend regulations entitled: **12 VAC 5-90-10 et seq. Regulations for Disease Reporting and Control.** The proposed amendments include additions to and deletions from the reportable disease list, changes to the list of conditions and laboratory tests reportable by directors of laboratories, and other changes to enhance disease surveillance and control in the Commonwealth.

Statutory Authority: §§ 32.1-12 and 32.1-35 of the Code of Virginia.

Contact: Diane Woolard, Ph.D., M.P.H., Director, Surveillance and Investigation, Department of Health, Office of Epidemiology, P.O. Box 2448, Room 113, Richmond, VA 23218, telephone (804) 786-6261, FAX (804) 371-4050 or toll-free 1-800-828-1120/TTY 


AIDS Drug Advisory Committee

† **September 9, 1998 - 10:15 a.m.** -- Open Meeting
Virginia Department of Health, Main Street Station, 1500
East Main Street, Room 121, Richmond, Virginia. 

A regular meeting; no comments solicited.

Contact: Ann Elam, Public Health Nurse Supervisor, Department of Health, P.O. Box 2448, Room 112, Richmond, VA 23219, telephone (804) 371-8294 or toll-free (800) 533-4148.

Maternal and Child Health Council

† **September 16, 1998 - 1 p.m.** -- Open Meeting
General Assembly Building, 910 Capitol Square, Speaker's
Conference Room, 6th Floor, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


The meeting will focus on improving the health of the Commonwealth's mothers and children by promoting and improving programs and service delivery systems

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related to maternal and child health including prenatal care, school health, and teenage pregnancy.

Contact: Janice W. Hicks, Policy Analyst, Office of Family Health Services, Department of Health, 1500 E. Main St., Room 104-B, Richmond, VA 23219, telephone (804) 371-0478 or FAX (804) 692-0184.


DEPARTMENT OF HEALTH PROFESSIONS

September 11, 1998 - 9 a.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 1, Richmond, Virginia. 
(Interpreter for the deaf provided upon request)


The Health Practitioners' Intervention Program Committee will meet with its contractor and representatives to review reports, policies and procedures for the Health Practitioner's Intervention Program. The committee will meet in open session for general discussion of the program. The committee may meet in executive session for the purpose of consideration of specific requests from applicants or participants in the program.

Contact: John W. Hasty, Director, Department of Health Professions, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9424, FAX (804) 662-9114 or (804) 662-7197/TTY 


Regulatory Research Committee

† September 3, 1998 - 10 a.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 4, Richmond, Virginia. 
(Interpreter for the deaf provided upon request)

A meeting to review the draft report on the study of the need to regulate athletic trainers. Public comment will be received at the beginning of the meeting.


Contact: Robert A. Nebiker, Executive Director, Department of Health Professions, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9919 or (804) 662-7197/TTY 

BOARD FOR HEARING AID SPECIALISTS

September 29, 1998 - 8:30 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, 5th Floor, Richmond, Virginia. 
(Interpreter for the deaf provided upon request)

A meeting to discuss regulatory review and other matter requiring board action, including disciplinary cases. In addition, the Hearing Aid Specialist Licensing Examination will be administered to eligible candidates. All meetings are subject to cancellation. Time of meeting is subject to change. Call the board's office at least 24 hours in advance. A public comment period


will be held at the beginning of the meeting. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the department at least 10 days prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: Nancy Taylor Feldman, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8590, or (804) 367-9753/TTY 


STATE REVIEW BOARD/HISTORIC RESOURCES BOARD

† September 16, 1998 - 10 a.m. -- Open Meeting
Fitzpatrick Hall at the Jefferson Center, 541 Luck Avenue, Suite 100, Roanoke, Virginia. 

A quarterly meeting to consider completed and proposed reports for the National Register of Historic Places and the Virginia Landmarks Register easements and highway markers.

Contact: Marc C. Wagner, National Register Manager, Department of Historic Resources, 2801 Kensington Ave., Richmond, VA 23221, telephone (804) 367-2323, FAX (804) 367-2391 or (804) 367-2386/TTY 

HOPEWELL INDUSTRIAL SAFETY COUNCIL

September 1, 1998 - 9 a.m. -- Open Meeting
Hopewell Community Center, Second and City Point Road, Hopewell, Virginia. 
(Interpreter for the deaf provided upon request)

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

Contact: Robert Brown, Emergency Services Coordinator, 300 N. Main St., Hopewell, VA 23860, telephone (804) 541-2298.

VIRGINIA HOUSING DEVELOPMENT AUTHORITY


† September 15, 1998 - 11 a.m. -- Open Meeting
601 South Belvidere Street, Richmond, Virginia. 

This will be the regular meeting of the Board of Commissioners of the Virginia Housing Development Authority. The Board of Commissioners will review and, if appropriate, approve the minutes from the prior monthly meeting; will consider for approval and ratification mortgage loan commitments under its various programs; will review the authority's operations for the prior month; and will consider such other matters and take such other actions as they may deem appropriate. Various committees of the Board of Commissioners may also meet before or after the

regular meeting and consider matters within their purview. The planned agenda of the meeting will be available at the offices of the authority one week prior to the date of the meeting.

Contact: J. Judson McKellar, Jr., General Counsel, Virginia Housing Development Authority, 601 S. Belvidere St., Richmond, VA 23220, telephone (804) 782-1986.


VIRGINIA INTERAGENCY COORDINATING COUNCIL

September 9, 1998 - 9:30 a.m. -- Open Meeting
Virginia Housing Development Authority, 601 South Belvidere Street, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

The council meets quarterly to advise and assist the Virginia Department of Mental Health, Mental Retardation and Substance Abuse Services as lead agency for Part H (of IDEA), early intervention for infants and toddlers with disabilities and their families. Discussion will focus on issues related to Virginia's implementation of the Part H program.

Contact: Nicole Corey, Part H Office Services Specialist, Department of Mental Health, Mental Retardation and Substance Abuse Services, Early Intervention, 10th Floor, P.O. Box 1797, Richmond, VA 23218-1797, telephone (804) 786-3710 or FAX (804) 371-7959.

STATE BOARD OF JUVENILE JUSTICE

† **September 9, 1998 - 9 a.m.** -- Open Meeting
700 East Franklin Street, Richmond, Virginia. 

Committees of the board (secure facilities and nonsecure services) meet at 9 a.m. Full board meets at 10 a.m. to act on certification of programs, consider long-range juvenile justice policy, and take up other matters that may come before the board.

Contact: Donald Carignan, Regulatory Coordinator, P.O. Box 1110, Richmond, VA 23218-1110, telephone (804) 371-0743 or FAX (804) 371-0773.

DEPARTMENT OF LABOR AND INDUSTRY

September 1, 1998 - 7 p.m. -- Public Hearing
General Assembly Building, 9th and Broad Streets, House Room C, Richmond, Virginia.

September 2, 1998 - 7 p.m. -- Public Hearing
Roanoke County Administration Center, 6204 Bernard Drive, Board of Supervisors' Meeting Room, Roanoke, Virginia.

September 3, 1998 - 7 p.m. -- Public Hearing
City Hall, 810 Union Street, City Council Chambers, Norfolk, Virginia.

October 2, 1998 - Public 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 Safety and Health Codes Board intends to amend regulations entitled: **16 VAC 25-50-10 et seq. Boiler and Pressure Vessel Rules and Regulations.** The proposed amendments incorporate the transfer of authority for setting various fee amounts from statute to regulation, and adopt several changes recommended individually or jointly by the regulated community, the National Board of Boiler and Pressure Vessel Inspectors, or the Chief Boiler and Pressure Vessel Inspector of the Commonwealth.

The proposed amendments also direct commonwealth inspectors to inspect uninsured boilers and pressure vessels in those geographic areas or limited time periods within which commercial services would not be available, set out the chief inspector's criteria for determining unavailability, and establish rates for certification inspections conducted by commonwealth inspectors. These changes eliminate a criticism of the current privatized inspection system and are directed by Chapter 212, 1997 Acts of Assembly.


Also included in these proposed amendments are changes suggested by the department's regulatory review and a request by the department to require the national board "R" and "VR" stamp certification for organizations performing repairs and alterations to boilers and pressure vessels, and the repair and resetting of safety valves. Current regulation requires that all boilers and pressure vessels be designed, constructed and installed in accordance with the ASME Boiler and Pressure Vessel Code. However, the ASME code does not establish standards for repair or alteration of these objects once they have been code stamped and installed.

Statutory Authority: § 40.1-51.6 of the Code of Virginia.

Public comments may be submitted until October 2, 1998, to Bonnie R. Hopkins, Regulatory Coordinator, Department of Labor and Industry, Powers-Taylor Building, 13 South 13th Street, Richmond, Virginia 23219.

Contact: Fred P. Barton, Boiler Chief Inspector, Department of Labor and Industry, Powers-Taylor Bldg., 13 S. 13th St., Richmond, VA 23219, telephone (804) 786-3262, FAX (804) 371-6524 or (804) 786-2376/TTY 

Apprenticeship Council

September 17, 1998 - 10 a.m. -- Open Meeting
Centreville Adult and Community Education Center, 5757 Spindle Court, Centreville, Virginia.  (Interpreter for the deaf provided upon request)

A regular meeting of the Apprenticeship Council.

Contact: Bev Donati, Assistant Program Director, Apprenticeship Program, Department of Labor and Industry,

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Powers-Taylor Bldg., 13 S. 13th St., Richmond, VA 23219, telephone (804) 786-2382, FAX (804) 786-8418, or (804) 786-2376/TTY ☎

Migrant and Seasonal Farmworkers Board

September 23, 1998 - 9:30 a.m. -- Open Meeting
George Washington Birthplace, Route 204, Oak Grove, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular quarterly meeting of the board and the Interagency Migrant Worker Policy Committee.

Contact: Patti C. Bell, Board Administrator, Department of Labor and Industry, Powers-Taylor Bldg., 13 S. 13th St., Richmond, VA 23219, telephone (804) 225-3083, FAX (804) 786-8418 or (804) 786-2376/TTY ☎.

STATE LAND EVALUATION ADVISORY COUNCIL

September 22, 1998 - 10 a.m. -- Open Meeting
Virginia Department of Taxation, 2220 West Broad Street, Richmond, Virginia. ♿

A meeting to adopt suggested ranges of values for agricultural, horticultural, forest and open-space land use and the use-value assessment program.

Contact: H. Keith Mawyer, Property Tax Manager, Department of Taxation, Office of Customer Services, Property Tax Unit, 2220 W. Broad St., Richmond, VA 23220, telephone (804) 367-8020.

LIBRARY BOARD

† **September 21, 1998 - 10:30 a.m.** -- Open Meeting
The Library of Virginia, 800 East Broad Street, Room 702, Richmond, Virginia. ♿

A meeting of the Library Board to discuss matters pertaining to The Library of Virginia and the Library Board.

Committees of the board will meet as follows:

- 8:15 a.m. Public Library Development Committee
- 8:15 a.m. Publication and Educational Services Committee
- 8:15 a.m. Records Management Committee
- 9:30 a.m. Archival and Information Service Committee
- 9:30 a.m. Collection Management Committee
- 9:30 a.m. Legislative and Finance Committee

Contact: Jean H. Taylor, Secretary to the State Librarian, The Library of Virginia, 800 E. Broad St., Richmond, VA 23219-1924, telephone (804) 692-3535.

COMMISSION ON LOCAL GOVERNMENT

September 14, 1998 - 10 a.m. -- Open Meeting
Commission on Local Government, Eighth Street Office Building, 805 East Broad Street, Room 702, Richmond, Virginia. ♿

A regular meeting of the commission.

Contact: Barbara Bingham, Administrative Assistant, Commission on Local Government, Eighth Street Office Bldg., 805 E. Broad St., Room 702, Richmond, VA 23219-1924, telephone (804) 786-6508, FAX (804) 371-7999 or (804) 786-1860/TTY ☎

VIRGINIA MANUFACTURED HOUSING BOARD

† **September 2, 1998 - 10 a.m.** -- Open Meeting
Department of Housing and Community Development, 501 North 2nd Street, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular monthly meeting.

Contact: Curtis L. McIver, Associate Director, Department of Housing and Community Development, the Jackson Center, 2nd Floor, 501 N. 2nd St., Richmond, VA 23219, telephone (804) 371-7160 or (804) 371-7089/TTY ☎

MARINE RESOURCES COMMISSION

September 22, 1998 - 9 a.m. -- Open Meeting
Marine Resources Commission, 2600 Washington Avenue, Room 403, Newport News, Virginia. ♿ (Interpreter for the deaf provided upon request)

The commission will hear and decide the following marine environmental matters at 9 a.m.: permit applications for projects in wetlands, bottom lands, coastal primary sand dunes and beaches; appeals of local wetland board decisions; policy and regulatory issues. The commission will hear and decide the following fishery management items at approximately noon: regulatory proposals, fishery management plans; fishery conservation issues; licensing; shellfish leasing. Meetings are open to the public. Testimony will be taken under oath from parties addressing agenda items on permits and licensing. Public comments will be taken on resource matters, regulatory issues and items scheduled for public hearing. The commission is empowered to promulgate regulations in the areas of marine environmental management and marine fishery management.

Contact: LaVerne Lewis, Secretary to the Commission, Marine Resources Commission, P.O. Box 756, Newport News, VA 23607-0756, telephone (757) 247-2261, toll-free 1-800-541-4646 or (757) 247-2292/TTY ☎

DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

September 4, 1998 -- Public 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 amend regulations entitled: **12 VAC 30-50-10 et seq. Amount, Duration, and Scope of Medical and Remedial Care and Services; 12 VAC 30-60-10 et seq. Standards Established and Methods Used to Assure High Quality Care; and 12 VAC 30-80-10 et seq. Methods and Standards for Establishing Payment Rates-- Other Types of Care.** The purpose of the proposed amendments is to allow clinical nurse specialists-psychiatric to be directly enrolled and reimbursed for Medicaid services rendered.

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

Public comments may be submitted until September 4, 1998, to Sally Rice, Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, VA 23219.

Contact: Victoria P. Simmons, Regulatory Coordinator, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 371-8854 or FAX (804) 371-4981.

September 18, 1998 -- Public 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 amend regulations entitled: **12 VAC 30-50-10 et seq. Amount, Duration, and Scope of Medical and Remedial Care and Services.** The proposed regulations clarify DMAS' coverage of breast reconstructive procedures and prostheses and establish parameters for the coverage of outpatient observation beds.

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

Public comments may be submitted until September 18, 1998, to Bonnie Winn, R.N., Manager, Division of Program Operations, Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, VA 23219.

Contact: Victoria P. Simmons, Regulatory Coordinator, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 371-8854 or FAX (804) 371-4981.


October 2, 1998 - Public 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 amend regulations entitled: **Home Infusion Therapy/Bundling Services and Supplies: 12 VAC 30-50-10 et seq. Amount, Duration and Scope of Medical and Remedial Care and Service and 12 VAC 30-80-10 et seq. Methods and Standards for Establishing Payment Rates; Other Types of Care.** The purpose of this proposal is to simplify the billing procedures of durable medical equipment providers and pharmacy providers when they are providing home infusion therapy services/bundling services and supplies (intravenous therapy, respiratory therapy and service agreements on equipment). This simplification will make providers' initial billing process easier and quicker but will also make it easier for DMAS to conduct postpayment reviews of providers' records.

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

Public comments may be submitted until the close of business on October 2, 1998, to Lynda Hamm, R.N., Division of Provider Operations, Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, Virginia 23219.

Contact: Victoria P. Simmons, Regulatory Coordinator, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 786-7959 or FAX (804) 786-3146.

September 17, 1998 - 2 p.m. -- Open Meeting
Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Board Room, Richmond, Virginia. 

A meeting to conduct routine business of the Drug Utilization Review Board.


Contact: Marianne Rollings, Pharmacist, Department of Medical Assistance Services, Program Operations, Pharmacy Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 225-4268.

† October 5, 1998 - 1 p.m. -- Open Meeting
Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Board Room, Richmond, Virginia.

The Pharmacy Liaison Committee will conduct routine business.

Contact: Marianne Rollings, Pharmacy Services, Client Services, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 225-4268.

BOARD OF MEDICINE

September 2, 1998 - 10 a.m. -- Open Meeting
September 9, 1998 - 1 p.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Board Room 4, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

Calendar of Events

The Advisory Committee on Radiologic Technologists will meet to review public comments and make recommendations to the board regarding 18 VAC 85-101-10 et seq., Regulations Governing the Licensure of Radiologic Technologist Practitioners and Radiologic Technologists-Limited, and such other issues which may be presented. The advisory committee will entertain public comments during the first 15 minutes on agenda items.

Contact: Warren W. Koontz, M.D., Executive Director, Board of Medicine, Department of Health Professions, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9960, FAX (804) 662-9943 or (804) 662-7197/TTY 📞

September 3, 1998 - 9 a.m. -- Open Meeting

September 10, 1998 - 9 a.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Board Room 4, Richmond, Virginia. 🗎 (Interpreter for the deaf provided upon request)

The Advisory Board on Occupational Therapy will meet to review public comments and make recommendations to the board regarding the regulatory review of 18 VAC 85-80-10 et seq., Regulations for Certification of Occupational Therapists, and such other issues which may be presented. The advisory board will entertain public comments during the first 15 minutes on agenda items.

Contact: Warren W. Koontz, M.D., Executive Director, Board of Medicine, Department of Health Professions, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9960, FAX (804) 662-9943 or (804) 662-7197/TTY 📞

September 3, 1998 - 1 p.m. -- Open Meeting

September 10, 1998 - 1 p.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Board Room 4, Richmond, Virginia. 🗎 (Interpreter for the deaf provided upon request)

The Advisory Board on Respiratory Therapy will meet to review public comments and make recommendations to the board regarding the regulatory review of 18 VAC 85-40-10 et seq., Regulations Governing the Practice of Respiratory Therapy Practitioners, and such other issues which may be presented.

Contact: Warren W. Koontz, M.D., Executive Director, Board of Medicine, Department of Health Professions, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9960, FAX (804) 662-9943 or (804) 662-7197/TTY 📞

September 9, 1998 - 9 a.m. -- Open Meeting

Department of Health Professions, 6606 West Broad Street, 5th Floor, Board Room 4, Richmond, Virginia. 🗎 (Interpreter for the deaf provided upon request)

The Advisory Committee on Acupuncturists will meet to discuss regulatory review of 18 VAC 85-110-10 et seq., Licensed Acupuncturists, and such other issues which

may be presented. The committee will entertain public comments during the first 15 minutes on agenda items.

Contact: Warren W. Koontz, M.D., Executive Director, Board of Medicine, Department of

September 10, 1998 - 9 a.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia. 🗎 (Interpreter for the deaf provided upon request)

A panel of the board will convene, pursuant to §§ 54.1-2400 and 9-6.14:12 of the Code of Virginia to inquire into allegations that a practitioner may have violated laws governing the practice of medicine. The panel will meet in open and closed sessions pursuant to § 2.1-344 A 7 and A 15 of the Code of Virginia. Public comment will not be received.

Contact: Karen W. Perrine, Deputy Executive Director, Board of Medicine, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-7693, FAX (804) 662-9943 or (804) 662-7197/TTY 📞

September 11, 1998 - 9 a.m. -- Open Meeting

September 16, 1998 - 9 a.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Board Room 4, Richmond, Virginia. 🗎 (Interpreter for the deaf provided upon request)

The Advisory Board on Physical Therapy will meet to review public comments and make recommendations to the board regarding the regulatory review of 18 VAC 85-31-10 et seq., Regulations Governing the Practice of Physical Therapy, and such other issues which may be presented. The advisory board will entertain public comments during the first 15 minutes on agenda items.

Contact: Warren W. Koontz, M.D., Executive Director, Board of Medicine, Department of Health Professions, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9960, FAX (804) 662-9943 or (804) 662-7197/TTY 📞

September 11, 1998 - 1 p.m. -- Open Meeting

Department of Health Professions, 6606 West Broad Street, 5th Floor, Board Room 4, Richmond, Virginia. 🗎 (Interpreter for the deaf provided upon request)

The Advisory Committee on Physician Assistants will meet to review public comments and make recommendations to the board regarding the regulatory review of 18 VAC 85-50-10 et seq., Regulations Governing the Practice of Physician Assistants, and such other issues which may be presented. The committee will entertain public comments during the first 15 minutes on agenda items.

Contact: Warren W. Koontz, M.D., Executive Director, Board of Medicine, Department of Health Professions, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9960, FAX (804) 662-9943 or (804) 662-7197/TTY 📞

† **September 16, 1998 - 9 a.m.** -- Open Meeting
Sheraton Inn, 2801 Plank Road, Fredericksburg, Virginia.

The informal conference committee, composed of three members of the board, will inquire into allegations that certain practitioners may have violated laws and regulations governing the practice of medicine and other healing arts in Virginia. The committee will meet in open and closed sessions pursuant to § 2.1-344 A 7 and A 15 of the Code of Virginia. Public comment will not be received.

Contact: Karen W. Perrine, Deputy Executive Director, Board of Medicine, 6606 W. Broad St., 4th Floor, Richmond, VA 23230, telephone (804) 662-7693, FAX (804) 662-9517 or (804) 662-7197/TTY ☎

† **September 18, 1998 - 9 a.m.** -- Open Meeting
Williamsburg Marriott, 50 Kingsmill Road, Williamsburg, Virginia.

An informal conference committee, composed of three members of the board, will inquire into allegations that certain practitioners may have violated laws and regulations governing the practice of medicine and other healing arts in Virginia. The committee will meet in open and closed sessions pursuant to § 2.1-344 A 7 and A 15 of the Code of Virginia. Public comment will not be received.

Contact: Karen W. Perrine, Deputy Executive Director, Board of Medicine, 6606 W. Broad St., 4th Floor, Richmond, VA 23230, telephone (804) 662-7693, FAX (804) 662-9517 or (804) 662-7197/TTY ☎

† **September 25, 1998 - 1 p.m.** -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

The Legislative Committee will discuss legislative issues related to board activities and regulation, review any pending regulations pursuant to regulatory review or legislative action, and consider any other information that may come before the committee. The committee will entertain public comments during the first 15 minutes on agenda items.

Contact: Warren W. Koontz, M.D., Executive Director, Board of Medicine, Department of Health Professions, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9960, FAX (804) 662-9943 or (804) 662-7197/TTY ☎

† **October 8, 1998 - 8 a.m.** -- Open Meeting

† **October 9, 1998 - 8 a.m.** -- Open Meeting

† **October 10, 1998 - 8 a.m.** -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Board Rooms 1-4, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

The full board will meet on October 8, in open session, to conduct general board business, receive committee and board reports, and discuss any other items which

may come before the board. The board will also meet on October 8, 9 and 10 to review reports, interview licensees/applicants, conduct administrative proceedings, and make decisions on disciplinary matters. The board will review any regulations that may come before it. The committee will entertain public comments during the first 15 minutes on agenda items.

Contact: Warren W. Koontz, M.D., Executive Director, Board of Medicine, Department of Health Professions, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9960, FAX (804) 662-9943 or (804) 662-7197/TTY ☎

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September 9, 1998 - 9 a.m. -- Public Hearing
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 4, Richmond, Virginia.

September 18, 1998 -- Public 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 Board of Medicine intends to amend regulations entitled: **18 VAC 85-110-10 et seq. Regulations Governing the Practice of Licensed Acupuncturists.** Amendments are proposed pursuant to Executive Order 15 (94) which called for agencies to simplify, clarify and reduce the burden of regulations. Proposed amendments would reduce the application fee from \$200 to \$150, eliminate the undergraduate education requirements, eliminate the requirement for an applicant from another state to have an approved tutorial, and specify that an applicant whose acupuncture education was in English is not required to take the Test of English as a Foreign Language. Another amendment changes the required time for examination by the referring doctor from six months to three months prior to referral.

Statutory Authority: §§ 54.1-2400 and 54.1-2956.9 of the Code of Virginia.

Contact: Warren W. Koontz, M.D., Executive Director, Board of Medicine, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9908.

Informal Conference Committee

September 3, 1998 - 10:30 a.m. -- Open Meeting
Roanoke Airport Marriott, 2801 Hershberger Road, Roanoke, Virginia.

A meeting to inquire into allegations that certain practitioners may have violated laws and regulations governing the practice of medicine and other healing arts in Virginia. The committee will meet in open and closed sessions pursuant to § 2.1-344 A 7 and A 15 of the Code of Virginia. Public comment will not be received.

Calendar of Events

Contact: Karen W. Perrine, Deputy Executive Director, Board of Medicine, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-7693, FAX (804) 662-9517 or (804) 662-7197/TTY ☎

DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES

† **September 9, 1998 - 10 a.m.** -- Open Meeting
Henrico Community Services Board, 10299 Woodman Road, Glen Allen, Virginia. ♿ (Interpreter for the deaf provided upon request)

The POMS Work Group will review new measures, POMS evaluation report development, the Core Indicators Project, consumer and family member participation in POMS, and indicator development. The group also will discuss the VACSB fall conference POMS workshop.

Contact: Will Ferriss, Research and Evaluation Associate, Department of Mental Health, Mental Retardation and Substance Abuse Services, P.O. Box 1797, Richmond, VA 23214, telephone (804) 371-7428 or FAX (804) 786-9428.

† **September 11, 1998 - 9 a.m.** -- Open Meeting
Northern Virginia Mental Health Institute, 3302 Gallows Road, Falls Church, Virginia. ♿ (Interpreter for the deaf provided upon request)

Regular convening of the State Human Rights Committee to discuss business and conduct hearings relating to human rights issues. Agenda items are listed for the meeting.

Contact: Theresa Evans, State Human Rights Director, Department of Mental Health, Mental Retardation and Substance Abuse Services, P.O. Box 1797, Richmond, VA 23218, telephone (804) 786-3988, FAX (804) 371-2308 or (804) 371-8977/TTY ☎

September 15, 1998 - 4 p.m. -- Public Hearing
Woodrow Wilson Rehabilitation Center, Anderson Room, Route 250, Fishersville, Virginia. ♿ (Interpreter for the deaf provided upon request)

September 15, 1998 - 4 p.m. -- Public Hearing
Wytheville Community College, Training Center Room, 1000 East Main Street, Wytheville, Virginia. ♿ (Interpreter for the deaf provided upon request)

September 24, 1998 - 4 p.m. -- Public Hearing
Hampton Public Library, Room A, 4207 Victoria Boulevard, Hampton, Virginia. ♿ (Interpreter for the deaf provided upon request)

The department, lead agency for Infants and Toddlers with Disabilities (Part C of the Individuals with Disabilities Education Act), is conducting a public hearing to solicit public comments on the state application to the U.S. Department of Education, Office of Special Education, Part C Early Intervention for

Infants and Toddlers with Disabilities Programs. Written comments will be accepted from August 17, 1998, through October 16, 1998.

Contact: Anne Lucas, Part C Coordinator, Department of Mental Health, Mental Retardation and Substance Abuse Services, P.O. Box 1797, Richmond, VA 23218, telephone (804) 371-6592 or FAX (804) 371-7159.

STATE MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES BOARD

October 2, 1998 - Public comments may be submitted until 5 p.m. on this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Mental Health, Mental Retardation and Substance Abuse Services Board intends to repeal regulations entitled: **12 VAC 35-140-10 Mandatory Standards for Community Mental Health Programs**. The Department of Mental Health, Mental Retardation and Substance Abuse Services proposes to repeal this regulation, which established administrative and clinical standards for community mental health programs. This regulation was superseded by 12 VAC 35-102-10 et seq., Rules and Regulations for the Licensure of Facilities and Providers of Mental Health, Mental Retardation and Substance Abuse Services, which became effective January 13, 1995.

Statutory Authority: §§ 37.1-10, 37.1-179.1 and 37.1-199 of the Code of Virginia.

Contact: Marion Greenfield, Policy Analyst, Department of Mental Health, Mental Retardation and Substance Abuse Services, P.O. Box 1797, Richmond, VA 23218-1797, telephone (804) 786-6431.

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October 2, 1998 - Public comments may be submitted until 5 p.m. on this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Mental Health, Mental Retardation and Substance Abuse Services Board intends to repeal regulations entitled: **12 VAC 35-150-10 Mandatory Standards for Community Mental Retardation Programs**. The Department of Mental Health, Mental Retardation and Substance Abuse Services proposes to repeal this regulation, which established administrative and clinical standards for community mental retardation programs. This regulation was superseded by 12 VAC 35-102-10 et seq., Rules and Regulations for the Licensure of Facilities and Providers of Mental Health, Mental Retardation and Substance Abuse Services, which became effective January 13, 1995.

Statutory Authority: §§ 37.1-10, 37.1-179.1 and 37.1-199 of the Code of Virginia.

Contact: Marion Greenfield, Policy Analyst, Department of Mental Health, Mental Retardation and Substance Abuse Services, P.O. Box 1797, Richmond, VA 23218-1797, telephone (804) 786-6431.

October 2, 1998 - Public comments may be submitted until 5 p.m. on this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Mental Health, Mental Retardation and Substance Abuse Services Board intends to repeal regulations entitled: **12 VAC 35-160-10 Mandatory Standards for Community Substance Abuse Programs.** The Department of Mental Health, Mental Retardation and Substance Abuse Services proposes to repeal this regulation, which established administrative and clinical standards for community substance abuse programs. This regulation was superseded by 12 VAC 35-102-10 et seq., Rules and Regulations for the Licensure of Facilities and Providers of Mental Health, Mental Retardation and Substance Abuse Services, which became effective January 13, 1995.

Statutory Authority: §§ 37.1-10, 37.1-179.1 and 37.1-199 of the Code of Virginia.

Contact: Marion Greenfield, Policy Analyst, Department of Mental Health, Mental Retardation and Substance Abuse Services, P.O. Box 1797, Richmond, VA 23218-1797, telephone (804) 786-6431.

October 26, 1998 - Public comments may be submitted until 5 p.m. on this date.


Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Mental Health, Mental Retardation and Substance Abuse Services intends to adopt regulations entitled: **12 VAC 35-210-10 et seq. Certification of the Qualifications of Providers of Behavior Consultation Services.** The proposed regulation defines the specific knowledge, skills, and abilities that mental retardation behavior consultants must have at entry level for Medicaid reimbursement for mental retardation waiver services. The regulation further defines who is subject to certification, the application procedure, the conditions under which a certification can be revoked and subsequently reinstated, provider agreement to inspection of records, and notification that all certified behavior consultants are subject to the department's human rights regulations.

Statutory Authority: §§ 37.1-10 and 37.1-182.2 of the Code of Virginia.


Public comments may be submitted until 5 p.m. on Monday, October 26, 1998, to Cathy Rowe, Office of Mental Retardation Services, Department of Mental Health, Mental Retardation and Substance Abuse Services, P.O. Box 1797, Richmond, VA 23218.

Contact: Marion Greenfield, Policy Analyst, Department of Mental Health, Mental Retardation and Substance Abuse Services, P.O. Box 1797, Richmond, VA 23218, telephone (804) 786-6431 or FAX (804) 371-0092.

STATE MILK COMMISSION

September 23, 1998 - 10:30 a.m. -- Open Meeting
Department of Forestry, Natural Resources Drive, 2nd Floor Board Room, Charlottesville, Virginia.  (Interpreter for the deaf provided upon request)

A regular meeting to discuss industry issues, distributor licensing, Virginia base transfers, Virginia baseholding license amendments, regulations, and fiscal matters and to review reports from the staff of the Milk Commission. The commission may consider other matters pertaining to its responsibilities. Any persons who require accommodations in order to participate in the meeting should contact Edward C. Wilson, Jr., at least five days prior to the meeting date so that suitable arrangements can be made.

Contact: Edward C. Wilson, Jr., Deputy Administrator, State Milk Commission, 200 N. 9th St., Suite 915, Richmond, VA 23219-3414, telephone (804) 786-2013 or (804) 786-2013/TTY 

DEPARTMENT OF MINES, MINERALS AND ENERGY

September 10, 1998 - 10 a.m. -- Public Hearing
Department of Mines, Minerals and Energy, Division of Mines, U. S. Route 23 South, Big Stone Gap, Virginia.

October 16, 1998 - Public 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 Mines, Minerals and Energy intends to repeal regulations entitled: **4 VAC 25-50-10 et seq. Rules and Regulations Governing the Certification of Diesel Engine Mechanics in Underground Coal Mines.** The regulation is being repealed because the essential elements in the regulation have been incorporated in the certification regulation for coal miners.

Statutory Authority: § 45.1-161.28 of the Code of Virginia.

Contact: Frank Linkous, Mine Division Chief, Department of Mines, Minerals and Energy, Division of Mines, U. S. Route 23 South, P. O. Drawer 900, Big Stone Gap, VA 24219, telephone (540) 523-8224, FAX (540) 523-8239 or toll-free 1-800-1120 (VA Relay Center)

Calendar of Events

September 10, 1998 - 10 a.m. -- Public Hearing
Department of Mines, Minerals and Energy, Division of
Mines, U. S. Route 23 South, Big Stone Gap, Virginia.

October 16, 1998 - Public 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 Mines,
Minerals and Energy intends to amend regulations
entitled: **4 VAC 25-60-10 et seq. Rules and
Regulations Governing the Installation and Use of
Automated Temporary Roof Support (ATRS)
Systems.** The regulation serves to protect miners from
unsupported roof falls before permanent roof supports
are installed in a newly mined area of an underground
coal mine. Amendments to the regulation make the
requirements consistent with current safety standards
for ATRS systems and consistent with the rules of the
Mine Safety and Health Administration.

Statutory Authority: §§ 45.1-161.3, 45.1-161.106, and 45.1-
161.114 of the Code of Virginia.

Contact: Frank Linkous, Mine Division Chief, Department of
Mines, Minerals and Energy, Division of Mines, U. S. Route
23 South, P. O. Drawer 900, Big Stone Gap, VA 24219,
telephone (540) 523-8224, FAX (540) 523-8239 or toll-free 1-
800-1120 (VA Relay Center)

September 10, 1998 - 10 a.m. -- Public Hearing
Department of Mines, Minerals and Energy, Division of
Mines, U. S. Route 23 South, Big Stone Gap, Virginia.

October 16, 1998 - Public 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 Mines,
Minerals and Energy intends to amend regulations
entitled: **4 VAC 25-70-10. Rules and Regulations
Governing Disruption of Communications in Mines.**
The regulation ensures that there is a system of
communication between those mining coal underground
and mine personnel on the surface so miners can get
help in case of an emergency. Amendments to the
regulation address important hazards not addressed by
the Mine Safety and Health Administration (MSHA),
avoid conflicts with MSHA regulations and federal law,
and eliminate duplicative information.

Statutory Authority: §§ 45.1-161.3, 45.1-161.106 and 45.1-
161.191 of the Code of Virginia.

Contact: Frank Linkous, Mine Division Chief, Department of
Mines, Minerals and Energy, Division of Mines, U. S. Route
23 South, P. O. Drawer 900, Big Stone Gap, VA 24219,
telephone (540) 523-8224, FAX (540) 523-8239 or toll-free 1-
800-1120 (VA Relay Center)

September 10, 1998 - 10 a.m. -- Public Hearing
Department of Mines, Minerals and Energy, Division of
Mines, U. S. Route 23 South, Big Stone Gap, Virginia.

October 16, 1998 - Public 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 Mines,
Minerals and Energy intends to repeal regulations
entitled: **4 VAC 25-80-10. Rules and Regulations
Governing Advanced First Aid.** The regulation sets
forth requirements for first aid training and the number
of persons with first aid training needed on the mine site.
However, the regulation is no longer needed as stand-
alone requirements because they are incorporated in the
certification requirements for coal miners promulgated
by the Board of Coal Mining Examiners.

Statutory Authority: § 45.1-161.3, 45.1-161.101, 45.1-106
and 45.1-161.254 of the Code of Virginia.

Contact: Frank Linkous, Mine Division Chief, Department of
Mines, Minerals and Energy, Division of Mines, U. S. Route
23 South, P. O. Drawer 900, Big Stone Gap, VA 24219,
telephone (540) 523-8224, FAX (540) 523-8239 or toll-free 1-
800-1120 (VA Relay Center)

September 10, 1998 - 10 a.m. -- Public Hearing
Department of Mines, Minerals and Energy, Division of
Mines, U. S. Route 23 South, Big Stone Gap, Virginia.

October 16, 1998 - Public 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 Mines,
Minerals and Energy intends to amend regulations
entitled: **4 VAC 25-110-10 et seq. Rules and
Regulations Governing Blasting in Surface Mining
Operations.** The regulation ensures that blasting
performed in conjunction with coal mining is performed
safely and efficiently. It serves to protect miners,
persons living close to mines, and property from fly rock
and other hazards associated with blasting.
Amendments to the regulation address important
hazards not addressed by the Mine, Safety and Health
Administration (MSHA) and to avoid conflicts with
MSHA regulations in federal law, address changes in
technology and eliminate duplicative information.

Statutory Authority: §§ 45.1-161.3, 46.1-161.254 and 45.1-
161.286 of the Code of Virginia.

Contact: Frank Linkous, Mine Division Chief, Department of
Mines, Minerals and Energy, Division of Mines, U. S. Route
23 South, P. O. Drawer 900, Big Stone Gap, VA 24219,
telephone (540) 523-8224, FAX (540) 523-8239 or toll-free 1-
800-1120 (VA Relay Center)

VIRGINIA MUSEUM OF FINE ARTS

September 10, 1998 - 10 a.m. -- Public Hearing
Department of Mines, Minerals and Energy, Division of
Mines, U. S. Route 23 South, Big Stone Gap, Virginia.

October 16, 1998 - Public 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 Mines,
Minerals and Energy intends to amend regulations
entitled: **4 VAC 25-120-10 et seq. Rules and
Regulations Governing Installation and Use of Cabs
and Canopies.** The regulation protects persons
operating self-propelled mobile equipment at the face of
coal mines from roof falls. Amendments are needed to
address important hazards not addressed by the Mine
Safety and Health Administration (MSHA), to avoid
conflicts with MSHA regulations and federal law, and to
adopt standards for loads and capacities.

Statutory Authority: §§ 45.1-161.3 and 45.1-161.106 of the
Code of Virginia.

Contact: Frank Linkous, Mine Division Chief, Department of
Mines, Minerals and Energy, Division of Mines, U. S. Route
23 South, P. O. Drawer 900, Big Stone Gap, VA 24219,
telephone (540) 523-8224, FAX (540) 523-8239 or toll-free 1-
800-1120 (VA Relay Center)

MOTOR VEHICLE DEALER BOARD

† **September 14, 1998 - 9 a.m.** -- Open Meeting
Department of Motor Vehicles, 2300 West Broad Street,
Room 702, Richmond, Virginia. (Interpreter for the deaf
provided upon request)

Committees of the board will meet as follows:
Transaction Recovery Fund Committee - 9 a.m.
Licensing Committee - 10 a.m.
Dealer Practices Committee - 1 p.m.
Advertising Committee - 3 p.m.

Contact: Alice R. Weedon, Administrative Assistant, Motor
Vehicle Dealer Board, 2201 W. Broad St., Suite 104,
Richmond, VA 23220, telephone (804) 367-1100 or FAX
(804) 367-1053.

† **September 15, 1998 - 8:45 a.m.** -- Open Meeting
Department of Motor Vehicles, 2300 West Broad Street,
Richmond, Virginia. (Interpreter for the deaf provided upon
request)

The board will meet as follows:
Finance Committee - 8:45 a.m. -- Room 702
Franchise Law Committee - 9 a.m. -- Executive
Conference Room, 7th Floor
Full board - 9:30 a.m. -- Room 702

Contact: Alice R. Weedon, Administrative Assistant, Motor
Vehicle Dealer Board, 2201 W. Broad St., Suite 104,
Richmond, VA 23220, telephone (804) 367-1100 or FAX
(804) 367-1053.

† **September 1, 1998 - 8 a.m.** -- Open Meeting
Virginia Museum of Fine Arts, 2800 Grove Avenue,
Conference Room, Richmond, Virginia.

The Executive Committee will hold a monthly briefing
session with the staff.

Contact: Emily C. Robertson, Secretary of the Museum,
Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond,
VA 23221, telephone (804) 367-0553 or FAX (804) 367-
2633.

† **September 15, 1998 - 11 a.m.** -- Open Meeting
Virginia Museum of Fine Arts, 2800 Grove Avenue,
Auditorium, Richmond, Virginia.

A meeting of the Collections Committee for
consideration of gift offers, purchase recommendation,
and loans of art objects for referral to the Full Board of
Trustees for final approval. Public comment will not be
received at the meeting. An executive session will be
held.

Contact: Emily C. Robertson, Secretary of the Museum,
Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond,
VA 23221, telephone (804) 367-0553 or FAX (804) 367-
2633.

† **September 25, 1998 - 10 a.m.** -- Open Meeting
Virginia Museum of Fine Arts, 2800 Grove Avenue, The
Payne Room, Members' Suite, 4th Floor, Richmond,
Virginia.

A meeting of the Buildings and Grounds Committee for
continued review of the renovation of the Center for
Education and Outreach (CEO) and other
ongoing/upcoming maintenance projects.

Contact: Emily C. Robertson, Secretary of the Museum,
Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond,
VA 23221, telephone (804) 367-0553 or FAX (804) 367-
2633.

† **September 25, 1998 - 10 a.m.** -- Open Meeting
Virginia Museum of Fine Arts, 2800 Grove Avenue, location
TBA, Richmond, Virginia.

A meeting of the Communications and Marketing
Committee for review of ongoing marketing issues.
Public comment will not be received.


Contact: Emily C. Robertson, Secretary of the Museum,
Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond,
VA 23221, telephone (804) 367-0553 or FAX (804) 367-
2633.

† **September 25, 1998 - 10 a.m.** -- Open Meeting
Virginia Museum of Fine Arts, 2800 Grove Avenue,
Auditorium, Richmond, Virginia.

A meeting of the Exhibitions Committee for
consideration/discussion of upcoming exhibitions; review
of current/recent exhibitions. Public comment will not be
received.


Calendar of Events

Contact: Emily C. Robertson, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond, VA 23221, telephone (804) 367-0553 or FAX (804) 367-2633.

† **September 25, 1998 - 11 a.m.** -- Open Meeting
Virginia Museum of Fine Arts, 2800 Grove Avenue, location TBA, Richmond, Virginia. 

A meeting of the Finance Committee for quarterly budget review and report on FY1997-98. Public comment will not be received.

Contact: Emily C. Robertson, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond, VA 23221, telephone (804) 367-0553 or FAX (804) 367-2633.

† **September 25, 1998 - 12:30 p.m.** -- Open Meeting
Virginia Museum of Fine Arts, 2800 Grove Avenue, Virginia Museum Auditorium, Richmond, Virginia. 


A quarterly meeting of the Board of Trustees. Reports from the president, committees, foundation and staff; budget review; approval of art acquisitions and loans. Public comment will not be received. There will be an executive session.

Contact: Emily C. Robertson, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond, VA 23221, telephone (804) 367-0553 or FAX (804) 367-2633.

† **October 6, 1998 - 8 a.m.** -- Open Meeting
Virginia Museum of Fine Arts, 2800 Grove Avenue, Conference Room, Richmond, Virginia.

The Executive Committee will hold a monthly briefing/work session with the staff. Public comment will not be received at the meeting.

Contact: Emily C. Robertson, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond, VA 23221, telephone (804) 367-0553 or FAX (804) 367-2633.

† **November 3, 1998 - 8 a.m.** -- Open Meeting
Virginia Museum of Fine Arts, 2800 Grove Avenue, Conference Room, Richmond, Virginia. 

The Executive Committee will hold a monthly briefing/work session with the staff. Public comment will not be received at the meeting.

Contact: Emily C. Robertson, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond, VA 23221, telephone (804) 367-0553 or FAX (804) 367-2633.

BOARD OF NURSING


September 18, 1998 -- Public 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 Board of Nursing intends to amend regulations entitled: **18 VAC 90-20-10 et seq. Regulations of the Board of Nursing.** Amendments are proposed pursuant to Executive Order 15 (94), which called for agencies to simplify and clarify regulations and eliminate unnecessary requirements. Amendments also include: (i) requirements for nurses to wear identification indicating their name and type of licensure; (ii) establishment of a standard protocol for persons with prescriptive authority to operate adult vaccine clinics; and (iii) an increase in the renewal fee for certified nurse aides in order to operate the investigative and disciplinary functions related to that program.

Statutory Authority: § 54.1-2400 and Chapter 30 (§ 54.1-3000 et seq.) of Title 54.1 of the Code of Virginia.

Contact: Nancy K. Durrett, R.N., Executive Director, Board of Nursing, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9909 or FAX (804) 662-9943.


BOARDS OF NURSING AND MEDICINE

† **September 9, 1998 - 9 a.m.** -- Public Hearing
Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A public hearing on the proposed regulations for nurse practitioners will begin at 9 a.m. Public comment will be received.

Members of the Joint Boards of Nursing and Medicine will conduct a formal hearing beginning at 10 a.m. Public comment will not be received.

A Special Conference Committee comprised of members of the Joint Boards of Nursing and Medicine will conduct informal conferences with licensees beginning at 12:30 p.m. Public comment will not be received.

Contact: Nancy K. Durrett, R.N., Executive Director, Board of Nursing, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9909, FAX (804) 662-9943 or (804) 662-7197/TTY 

September 9, 1998 - 9 a.m. -- Public Hearing
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 1, Richmond, Virginia.

September 18, 1998 -- Public 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 Boards of Nursing and Medicine intend to amend regulations entitled: **18 VAC**

90-30-10 et seq. Regulations Governing the Licensure of Nurse Practitioners. The proposed amendments are the board's response to the review of regulations pursuant to Executive Order 15 (94). The proposed amendments clarify several definitions, add a requirement for guidelines on "availability" in the protocol between the nurse practitioner and supervising physician, and eliminate the process for board approval of a nurse practitioner education program.

Statutory Authority: §§ 54.1-2400 and 54.1-2957 of the Code of Virginia.

Contact: Nancy K. Durrett, R.N., Executive Director, Board of Nursing, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9909 or FAX (804) 662-9943.

BOARD OF NURSING HOME ADMINISTRATORS

September 18, 1998 -- Public 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 Board of Nursing Home Administrators intends to amend regulations entitled: **18 VAC 95-20-10 et seq. Regulations of the Board of Nursing Home Administrators.** Pursuant to Executive Order 15 (94) to clarify, simplify and reduce the number of regulations, less restrictive requirements are proposed for the definition of "full-time employment," for notification of a change of address, and for continuing education. Amendments also clarify application, licensure, and preceptorship requirements.

Statutory Authority: § 54.1-2400 and Chapter 31 (§ 54.1-3100 et seq.) of Title 54.1 of the Code of Virginia.

Contact: Elizabeth Young Tisdale, Executive Director, Board of Nursing Home Administrators, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9111 or FAX (804) 662-9943.

OLD DOMINION UNIVERSITY

† **September 17, 1998 - 9 a.m.** -- Open Meeting
Old Dominion University, Board Room, Webb University Center, Norfolk, Virginia. (Interpreter for the deaf provided upon request)

Quarterly meeting of the Board of Visitors to discuss business of the University as determined by the Rector and President of the University.

Contact: Donna W. Meeks, Secretary to the Board of Visitors, 225 New Administration Building, Norfolk, VA 23529, telephone (757) 683-3072 or FAX (757) 683-5679.

BOARD OF OPTOMETRY

September 16, 1998 - 9 a.m. -- Public Hearing
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 3, Richmond, Virginia.

September 18, 1998 -- Public 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 Board of Optometry intends to amend regulations entitled: **18 VAC 105-20-10 et seq. Regulations of the Virginia Board of Optometry.** Amendments are proposed pursuant to Executive Order 15 (94), which called agencies to simplify and clarify regulations and eliminate unnecessary requirements. Proposed amendments provide for a listing of approved providers of continuing education courses and eliminate the burden and expense of submitting for board approval all of the materials for each course offered.

Statutory Authority: § 54.1-2400 and Chapter 32 (§ 54.1-3200 et seq.) of Title 54.1 of the Code of Virginia.

Contact: Elizabeth Carter, Executive Director, Board of Optometry, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9910 or FAX (804) 662-9943.

BOARD OF PHARMACY

† **September 10, 1998 - 9 a.m.** -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 3, Richmond, Virginia. (Interpreter for the deaf provided upon request)

Special conference committee to hear informal conference(s). Public comments will not be received.

Contact: Elizabeth Scott Russell, Executive Director, Board of Pharmacy, 6606 W. Broad St., 4th Floor, Richmond, VA 23230, telephone (804) 662-9911 or FAX (804) 662-9313.

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October 2, 1998 - Public 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 Board of Pharmacy intends to amend regulations entitled: **18 VAC 110-20-10 et seq. Virginia Board of Pharmacy Regulations.** Amendments are proposed pursuant to Executive Order 15 (94) to clarify and simplify the regulations and to conform them to current pharmacy practice.

Statutory Authority: §§ 54.1-2400, 54.1-3307 and 54.1-3312 of the Code of Virginia.

Contact: Elizabeth Scott Russell, Executive Director, Board of Pharmacy, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9911 or FAX (804) 662-9943.

Calendar of Events

PESTICIDE CONTROL BOARD

October 15, 1998 - 9 a.m. – Public Hearing
Department of Agriculture and Consumer Services, 1100
Bank Street, Room 204, Richmond, Virginia.

November 2, 1998 - Public 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 Pesticide Control Board intends to repeal regulations entitled: 2 VAC 20-50-10 et seq. Regulations Governing Pesticide Applicator Certification Under Authority of Virginia Pesticide Control Act and to adopt regulations entitled: 2 VAC 20-51-10 et seq. Regulations Governing Pesticide Applicator Certification Under Authority of Virginia Pesticide Control Act. The present proposed regulation is predicated on a Notice of Intended Regulatory Action published in the Virginia Register of Regulations on May 12, 1997, at page 1910. Although that Notice of Intended Regulatory Action indicated that the agency intended to amend 2 VAC 20-50-10 et seq., Regulations Governing Pesticide Applicator Certification Under Authority of Virginia Pesticide Control Act, the agency has determined, in consultation with the Registrar of Regulations, that it would be simpler to set out the amended language by repealing the entirety of the existing regulation and proposing a new regulation that contains much of the language of the existing regulation, along with the substantive amendments contemplated by the aforementioned Notice of Intended Regulatory Action. The substantive features of the proposed regulation not contained in the existing regulation will clarify requirements for certification of applicators of pesticides in accordance with statutory changes effective July 1, 1995, in §§ 3.1-249.27, 3.1-249.51, and 3.1-249.53 of the Code of Virginia as well as respond to comments from the general public and industry workers in response to the agency's review of regulations under the Governor's Executive Order 15 (94). The certification regulation sets standards of certification for persons specified by statute who use or supervise the use of pesticides in Virginia. Those persons governed by the regulation include, but are not limited to, farmers using restricted use pesticides (any pesticide classified for restricted use by the Administrator of the United States Environmental Protection Agency) on their own land and persons who apply pesticides commercially. The certification regulation does not apply to persons who use general use pesticides (any pesticide classified as general use by the Administrator of the United States Environmental Protection Agency) in and around their homes. The certification regulation will help to assure that those persons subject to the certification regulation are adequately trained and competent to use pesticides.

Several changes from the current regulation were made when the proposed regulation was being drafted. Several sections of the proposed regulation were developed to produce a document that is easier to read and comprehend. A few terms and definitions have

been added to the proposed certification regulation where needed for clarification. The proposed certification regulation includes a summary of who must be certified to apply pesticides in Virginia. Lists of the various classifications of pesticide applicators and the procedures for becoming certified are also included.

In the section of the proposed certification regulation concerning exemptions (2 VAC 20-51-60), forestry applicators (commercial pesticide applicators who apply pesticides in forestry environments) using general use herbicides (any herbicide classified as general use by the Administrator of the United States Environmental Protection Agency) for forest vegetation control under the direct onsite supervision of a commercial pesticide applicator (an applicator who uses or supervises the use of any pesticide for any purpose, or on any property for compensation) have been added to the list of those persons who are exempt from certification. The categories for private pesticide applicator (an applicator who uses or supervises the use of any pesticide which is classified for restricted use for the purposes of producing any agricultural commodity) certification have been combined to form four categories rather than the current seven. A section has been added to the proposed certification regulation to provide details about the specific requirements for on-the-job training for registered technicians (an individual who renders services similar to those of a certified commercial pesticide applicator, but who has not completed all the training or time in service requirements to be eligible for examination for certification as a commercial pesticide applicator and is limited to application of general use pesticides).


2 VAC 20-50-120 was combined with 2 VAC 20-50-130 to make renewal of certification (training) and certificates (the document) occur at the same time instead of two different years. This proposed section also requires payment of the certificate fee on a biennial basis instead of an annual basis.

2 VAC 20-51-190 has been added to the proposed certification regulation to allow individuals who have received reciprocal certification to be recertified in Virginia by maintaining their training in the state where they are certified. Evidence of Financial Responsibility (2 VAC 20-50-220), a section that is included in the current certification regulation, has been deleted from the proposed certification regulation because it is not the Pesticide Control Board's intent to require Commercial Applicators-Not-for-Hire (a commercial pesticide applicator who uses or supervises the use of pesticides as part of his duties only on property owned or leased by him or his employer) to provide evidence of financial responsibility. This is a requirement placed on commercial firms that apply pesticides and is adequately covered by Rules and Regulations Governing Licensing of Pesticide Businesses by the Department of Agricultural and Consumer Services Operating Under Authority of the Virginia Pesticide Control Act (2 VAC 20-40-80).

Statutory Authority: § 3.1-249.30 of the Code of Virginia.

Contact: Dr. Marvin A. Lawson, Program Manager, Office of Pesticide Services, Virginia Department of Agriculture and Consumer Services, P.O. Box 1163, Room 401, Richmond, VA 23218-1163, telephone (804) 371-6558, FAX (804) 371-8598, toll-free (800) 552-9963 or (804) 371-6344 (TTY).


VIRGINIA POLLUTION PREVENTION ADVISORY COMMITTEE

† **September 4, 1998 - 10 a.m.** -- Open Meeting
Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia. 


A regular meeting.

Contact: Sharon K. Baxter, Pollution Prevention Manager, Virginia Pollution Prevention Advisory Committee, 3302 Floyd Ave., Richmond, VA 23221, telephone (804) 698-4344 or toll-free (800) 592-5482.


BOARD FOR PROFESSIONAL AND OCCUPATIONAL REGULATION

September 14, 1998 - 10 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. 

A general business meeting.


Contact: Debra S. Vought, Agency Analyst, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8519 or (804) 367-9753/TTY 

BOARD OF LICENSED PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS AND SUBSTANCE ABUSE TREATMENT PROFESSIONALS

† **September 1, 1998 - 9 a.m.** -- Open Meeting
Department of Health Professions, 6606 West Broad Street, Conference Room 2, Richmond, Virginia. 

Formal administrative hearings will be held pursuant to § 9-6.14:12 of the Code of Virginia. No public comment will be received.


Contact: Evelyn Brown, Executive Director, Board of Licensed Professional Counselors, Marriage and Family Therapists and Substance Abuse Professionals, 6606 W. Broad St., 4th Floor, Richmond, VA 23230, telephone (804) 662-9967 or FAX (804) 662-9343.

† **September 21, 1998 - 9 a.m.** -- Open Meeting
Department of Health Professions, 6606 West Broad Street, Conference Room 4, Richmond, Virginia. 

Informal administrative hearings will be held pursuant to § 9-6.14:11 of the Code of Virginia. No public comment will be received.

Contact: Evelyn Brown, Executive Director, Board of Licensed Professional Counselors, Marriage and Family Therapists and Substance Abuse Professionals, 6606 W. Broad St., 4th Floor, Richmond, VA 23230, telephone (804) 662-9967 or FAX (804) 662-9343.


VIRGINIA RACING COMMISSION

† **September 16, 1998 - 9:30 a.m.** -- Open Meeting
Administrative Building, 12007 Courthouse Circle, New Kent, Virginia. 


A monthly meeting of the commission including a review of the current thoroughbred race meeting and plans for the inaugural running of the Virginia Derby.

Contact: William H. Anderson, Policy Analyst, Virginia Racing Commission, 10700 Horsemen's Rd., New Kent, VA 23124, telephone (804) 966-4200 or FAX (804) 966-8906.


REAL ESTATE BOARD

† **September 10, 1998 - 9 a.m.** -- Open Meeting
Hyatt Regency Crystal City, Washington National Airport, 2799 Jefferson Davis Highway, Arlington, Virginia. 


A general business meeting. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the board at least two weeks prior to the meeting. The department fully complies with the Americans with Disabilities Act.

Contact: Karen W. O'Neal, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8526, FAX (804) 367-2475, or (804) 367-9753/TTY 

Continuing Education Committee


† **September 10, 1998 - 8 a.m.** -- Open Meeting
Hyatt Regency Crystal City, Washington National Airport, 2799 Jefferson Davis Highway, Arlington, Virginia. 

A general business meeting. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the board at least two weeks prior to the meeting. The department fully complies with the Americans with Disabilities Act.


Contact: Karen W. O'Neal, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8526, FAX (804) 367-2475, or (804) 367-9753/TTY 

Calendar of Events


Fair Housing Committee

† **September 10, 1998 - 8 a.m.** -- Open Meeting
Hyatt Regency Crystal City, Washington National Airport,
2799 Jefferson Davis Highway, Arlington, Virginia. 


A general business meeting. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the board at least two weeks prior to the meeting. The department fully complies with the Americans with Disabilities Act.

Contact: Karen W. O'Neal, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8526, FAX (804) 367-2475, or (804) 367-9753/TTY 

REAL ESTATE APPRAISER BOARD

† **October 27, 1998 - 10 a.m.** -- Open Meeting
Department of Professional and Occupational Regulation,
3600 West Broad Street, Richmond, Virginia. 


A general business meeting. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the board at least two weeks prior to the meeting. The department fully complies with the Americans with Disabilities Act.

Contact: Karen W. O'Neal, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8526, FAX (804) 367-2475, or (804) 367-9753/TTY 


VIRGINIA RECYCLING MARKETS DEVELOPMENT COUNCIL

† **September 15, 1998 - 10 a.m.** -- Open Meeting
Central Virginia Waste Management Authority, 2104 West
Laburnum Avenue, Board Room, Richmond, Virginia.


A quarterly meeting. Meetings are dependent on a quorum of 10. Subcommittee meetings may be held prior to or after the general council meeting. Call Mike Murphy for details or e-mail mpmurphy@deq.state.va.us.

Contact: Michael P. Murphy, Director, Environmental Enhancement, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240-0009, telephone (804) 698-4003, FAX (804) 698-4319, (804) 698-4021/TTY  or e-mail mpmurphy@deq.state.va.us.


BOARD OF REHABILITATIVE SERVICES

September 18, 1998 - 9 a.m. -- Open Meeting
Woodrow Wilson Rehabilitation Center, Fishersville,
Virginia.  (Interpreter for the deaf provided upon request)


A quarterly business meeting.

Contact: Sandra Prince, Administrative Staff Specialist, Department of Rehabilitative Services, 8004 Franklin Farms Dr., P.O. Box 300 K Richmond, VA 23288-0300, telephone (804) 662-7010, or toll-free 1-800-552-5019/Voice and 1-800-464-9950/TTY 


VIRGINIA RETIREMENT SYSTEM

September 10, 1998 - Noon -- Open Meeting
Virginia Retirement System, 1200 East Main Street,
Richmond, Virginia. 

A regular meeting of the Investment Advisory Committee. There may be in attendance at any time during the meeting three or more members of the Board of Trustees, or any of their subcommittees. No public comment will be received.

Contact: Darla Kestner, Administrative Staff Assistant, Virginia Retirement System, P.O. Box 2500, Richmond, VA 23218-2500, telephone (804) 649-8059, FAX (804) 371-0613, toll-free 1-888-827-3847, or (804) 649-5089/TTY 

SEWAGE HANDLING AND DISPOSAL APPEAL REVIEW BOARD

† **September 23, 1998 - 10 a.m.** -- Open Meeting
General Assembly Building, 910 Capitol Square, Senate
Room B, Richmond, Virginia. 

A meeting to hear appeals of health department denials of septic tank permits.

Contact: Gary L. Hagy, Acting Secretary, Sewage Handling and Disposal Appeal Review Board, P.O. Box 2448, Room 115, Richmond, VA 23218, telephone (804) 225-4022 or FAX (804) 225-4003.

STATE BOARD OF SOCIAL SERVICES

October 16, 1998 - Public 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 State Board of Social Services intends to repeal regulations entitled: **22 VAC 40-40-10 et seq. Rules of the Neighborhood Assistance Act**. The purpose of the proposed action is to repeal outdated and burdensome regulations. New regulations are being promulgated.

Statutory Authority: §§ 63.1-25 and 63.1-323 of the Code of Virginia.

Contact: Phyllis Parrish, Special Projects Coordinator, Department of Social Services, 730 E. Broad St., Richmond, VA 23219, telephone (804) 692-1895 or FAX (804) 692-1869.

October 16, 1998 - Public 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 Board of Social Services intends to adopt regulations entitled: **22 VAC 40-41-10 et seq. Neighborhood Assistance Tax Credit Program.** The purpose of the regulation action is to replace regulations which are being repealed and reflect changes which have developed over time and through legislation. The regulations will set out criteria for approving projects, allocating tax credits and appealing decisions made by Department of Social Services staff. The regulations will also require applicant organizations to submit an audit as a prerequisite to approval.

Statutory Authority: §§ 63.1-25 and 63.1-323 of the Code of Virginia.

Contact: Phyllis Parrish, Special Projects Coordinator, Department of Social Services, 730 E. Broad St., Richmond, VA 23219, telephone (804) 692-1895 or FAX (804) 692-1869.

October 16, 1998 - Public 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 State Board of Social Services intends to repeal regulations entitled: **22 VAC 40-140-10 et seq. Minimum Standards for Independent Foster Homes.** The purpose of the proposed action is to repeal the current standards, which were promulgated in 1949. Concurrently with this action, new standards are being promulgated.

Statutory Authority: §§ 63.1-25 and 63.1-202 of the Code of Virginia.

Contact: Doris Jenkins, Child-Placing/Residential Licensing Manager, Department of Social Services, 730 E. Broad St., Richmond, VA 23219, telephone (804) 692-1773 or FAX (804) 692-2370.

October 16, 1998 - Public 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 State Board of Social Services intends to adopt regulations entitled: **22 VAC 40-141-10 et seq. Minimum Standards for Independent Foster Homes.** The proposed regulation establishes minimum standards that independent foster homes must meet in order to be licensed to provide care to children.

Statutory Authority: §§ 63.1-25 and 63.1-202 of the Code of Virginia.

Contact: Doris Jenkins, Child-Placing/Residential Licensing Manager, Department of Social Services, 730 E. Broad St., Richmond, VA 23219, telephone (804) 692-1773 or FAX (804) 692-2370.

BOARD OF SOCIAL WORK

September 11, 1998 - 10 a.m. -- Public Hearing
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 3, Richmond, Virginia.

October 2, 1998 - Public comments may be submitted through this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Social Work intends to amend regulations entitled: **18 VAC 140-20-10 et seq. Regulations Governing the Practice of Social Work.** The purpose of the proposed amendment is to clarify and reformat the regulations and include an endorsement provision to expedite licensure of applicants with lengthy experience licensed in other jurisdictions and to comply with a statutory mandate enacted by the 1994 General Assembly by endorsing regulations promulgated by the Board of Psychology for voluntary certification of licensees as sex offender treatment providers.

Statutory Authority: § 54.1-2400 and Chapter 37 (§ 54.1-3700 et seq.) of Title 54.1 of the Code of Virginia.

Contact: Janet Delorme, Deputy Executive Director, Board of Licensed Professional Counselors, Marriage and Family Therapists and Substance Abuse Treatment Professionals, 6606 W. Broad St., 4th Floor, Richmond, VA 23230, telephone (804) 662-9575, FAX (804) 662-9943 or (804) 662-7197/TTY ☎

VIRGINIA SOIL AND WATER CONSERVATION BOARD

† **September 16, 1998 - 7 p.m.** -- Open Meeting
Howard Johnson's Motel, 100 Tower Drive, Danville, Virginia. ☎

A regular business meeting followed by public comment period.

Contact: Leon App, Regulatory Coordinator, Department of Conservation and Recreation, 203 Governor St., Suite 302, Richmond, VA 23219, telephone (804) 786-4570, FAX (804) 786-6141 or (804) 786-2121/TTY ☎

† **September 17, 1998 - 8 a.m.** -- Open Meeting
Howard Johnson's Motel, 100 Tower Drive, Danville, Virginia. ☎

Tour of Pittsylvania Soil and Water Conservation District.

Calendar of Events

Contact: Leon App, Regulatory Coordinator, Department of Conservation and Recreation, 203 Governor St., Suite 302, Richmond, VA 23219, telephone (804) 786-4570, FAX (804) 786-6141 or (804) 786-2121/TTY ☎

VIRGINIA COMMERCIAL SPACE FLIGHT AUTHORITY

† **October 13, 1998 - 10 a.m.** -- Open Meeting
Old Dominion University, Webb University Center, Board Room, Norfolk, Virginia. ♿ (Interpreter for the deaf provided upon request)

Quarterly meeting of the governing board of the authority to discuss business of the authority as determined by the chairman.

Contact: Robert G. Templin, Jr., Chairman, Virginia Commercial Space Flight Authority, CIT, 2214 Rock Hill Rd., Suite 600, Herndon, VA 20170, telephone (703) 689-3010 or toll-free (800) 689-3001.

COMMONWEALTH TRANSPORTATION BOARD

† **September 16, 1998 - 2 p.m.** -- Open Meeting
Holiday Inn, 3005 Linden Drive, Bristol, Virginia. ♿ (Interpreter for the deaf provided upon request)

A work session of the board and the Department of Transportation staff.

Contact: Shirley J. Ybarra, Secretary of Transportation, 1401 E. Broad St., Richmond, VA 23219, telephone (804) 786-6675.

† **September 17, 1998 - 10 a.m.** -- Open Meeting
Holiday Inn, 3005 Linden Drive, Bristol, Virginia. ♿ (Interpreter for the deaf provided upon request)

A monthly meeting of the board to vote on proposals presented regarding bids, permits, additions and deletions to the highway system, and any other matters requiring board approval. Public comment will be received at the outset of the meeting on items on the meeting agenda for which the opportunity for public comment has not been afforded the public in another forum. Remarks will be limited to five minutes. Large groups are asked to select one individual to speak for the group. The board reserves the right to amend these conditions. Separate committee meetings may be held on call of the chairman. Contact Department of Transportation Public Affairs at (804) 786-2715 for schedule.

Contact: Shirley J. Ybarra, Secretary of Transportation, 1401 E. Broad St., Richmond, VA 23219, telephone (804) 786-6675.

TRANSPORTATION SAFETY BOARD

September 9, 1998 - 9 a.m. -- Open Meeting
Department of Motor Vehicles, 2300 West Broad Street, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting to review highway safety issues and federal funding.

Contact: Angelisa C. Jennings, Senior Management Analyst, Department of Motor Vehicles, 2300 W. Broad St., Richmond, VA 23220, telephone (804) 367-2026 or FAX (804) 367-6031.

BOARD OF VETERINARY MEDICINE

September 17, 1998 - 9 a.m. -- Public Hearing
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 4, Richmond, Virginia.

October 2, 1998 - Public 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 Board of Veterinary Medicine intends to amend regulations entitled: **18 VAC 150-20-10 et seq. Regulations Governing the Practice of Veterinary Medicine.** Amendments are proposed pursuant to Executive Order 15 (94) in order to make regulations clearer, simpler, and less burdensome. The proposed amendments will streamline requirements for veterinary facilities, clarify the practice of surgery, allow continuing education through journals or information networks, and specify that continuing education must pertain to clinical areas of practice.

Statutory Authority: §§ 54.1-2400 and Chapter 38 (§ 54.1-3800 et seq.) of Title 54.1 of the Code of Virginia.

Contact: Elizabeth Carter, Ph.D., Executive Director, Board of Veterinary Medicine, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9915 or FAX (804) 662-9943.

VIRGINIA-ISRAEL ADVISORY BOARD

† **September 24, 1998 - 10 a.m.** -- Open Meeting
State Capitol, Room No. 1, Richmond, Virginia.

A meeting to discuss approval of minutes for June 9, 1998 meeting; the Executive Director position; adoption of by-laws; Holocaust education; Governor's trade mission; financial matters; and year-end report.

Contact: Mel Chaskin, telephone (703) 934-6300.

BOARD FOR THE VISUALLY HANDICAPPED


October 14, 1998 - 11 a.m. -- Open Meeting
Jefferson Madison Regional Library, 201 East Market Street, Charlottesville, Virginia.  (Interpreter for the deaf provided upon request)

A regular quarterly meeting to receive information regarding department activities and operations, review expenditures from the board's institutional fund, and discuss other issues raised by board members.


Contact: Katherine C. Proffitt, Executive Secretary Senior, Department for the Visually Handicapped, 397 Azalea Ave., Richmond, VA 23227, telephone (804) 371-3140, toll-free 1-800-622-2155, FAX (804) 371-3351 or (804) 371-3140/TTY 

DEPARTMENT FOR THE VISUALLY HANDICAPPED

Vocational Rehabilitation Advisory Council

September 26, 1998 - 10 a.m. -- Open Meeting
Department for the Visually Handicapped, Administrative Headquarters, 397 Azalea Avenue, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A quarterly meeting of the council to advise the Department for the Visually Handicapped on matters related to vocational rehabilitation services for the blind and visually impaired citizens of the Commonwealth.

Contact: James G. Taylor, Vocational Rehabilitation Program Director, Department for the Visually Handicapped, 397 Azalea Ave., Richmond, VA 23227, telephone (804) 371-3111, toll-free 1-800-622-2155, or (804) 371-3140/TTY 


VIRGINIA VOLUNTARY FORMULARY BOARD

September 11, 1998 - 10 a.m. -- Public Hearing
Washington Building, 1100 Bank Street, 2nd Floor, Board Room, Richmond, Virginia.


A public hearing to consider the proposed adoption and issuance of revisions to the Virginia Voluntary Formulary. The proposed revisions to the formulary add drugs and drug products to the formulary that became effective January 15, 1996, and its most recent supplement. Copies of the proposed revisions to the formulary are available for inspection at the Department of Health, Bureau of Pharmacy Services, Monroe Building, 101 North 14th Street, Room S-45, Richmond, VA 23218. Written comments sent to the above address and received prior to 5 p.m. on September 11, 1998, will be made a part of the hearing record.

Contact: James K. Thomson, Director, Bureau of Pharmacy Services, Virginia Voluntary Formulary, James Monroe Bldg., 101 N. 14th St., Room S-45, Richmond, VA 23219, telephone (804) 786-4326 or FAX (804) 371-0236.


VIRGINIA WAR MEMORIAL FOUNDATION

September 15, 1998 - Noon -- Open Meeting
Virginia War Memorial, 621 Belvidere Street, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

The annual meeting of the Board of Trustees to elect officers and review annual reports.

Contact: Sandra H. Williams, Department of General Services, 805 E. Broad St., Room 101, Richmond, VA 23219, telephone (804) 786-3263, FAX (804) 371-7934 or (804) 786-6152/TTY 

BOARD FOR WASTE MANAGEMENT FACILITY OPERATORS

† **September 8, 1998 - 10 a.m.** -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Conference Room 5W, Richmond, Virginia. 

The board will conduct routine business. The board will also hear a report from DPOR staff concerning the comments received on the board's regulations, 18 VAC 155-10-10 et seq., Public Participation Guidelines and 18 VAC 155-20-10 et seq., Waste Management Facility Operators Regulations, in response to a Notice of Intended Regulatory Action published on August 3, 1998. A public comment period will be held at the beginning of the meeting.

Contact: David E. Dick, Assistant Director, Board for Waste Management Facility Operators, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8595, FAX (804) 367-2475 or (804) 367-9753/TTY 

STATE WATER CONTROL BOARD

September 4, 1998 - Public 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 State Water Control Board intends to amend regulations entitled: **9 VAC 25-430-10 et seq. Roanoke River Basin Water Quality Management Plan.** The purpose of the proposed action is to amend the plan to change the wasteload allocations for selected VPDES permitted discharges.

The Department of Environmental Quality invites comments on this intended amendment to the Roanoke River Basin Water Quality Management Plan, including any alternatives. Copies of the draft proposed regulation may be obtained by contacting the Department of Environmental Quality. To obtain a copy and for further information, please contact Jon van Soestbergen at the address and telephone number below.

The Department of Environmental Quality invites comments on costs and benefits of this intended

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amendment to the Roanoke River Basin Water Quality Management Plan. Comments may be submitted to Jon van Soestbergen at the address below.

The proposed regulatory amendments will affect the following communities: Town of Clarksville, Town of Boydton, Mecklenburg County.

The Department of Environmental Quality analyzed different alternatives in preparing this proposed regulatory amendment. Additional information regarding these analyses is available from Jon van Soestbergen at the address below.

Statutory Authority: §§ 62.1-44.15 (10) and 62.1-44.15 (13) of the Code of Virginia.

Contact: Jon van Soestbergen, P.E., Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, VA 23060-6296, telephone (804) 527-5043.

September 4, 1998 - Public 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 State Water Control Board intends to amend regulations entitled: **9 VAC 25-440-10 et seq. Upper Roanoke River Subarea Water Quality Management Plan.** The purpose of the proposed action is to change the wasteload allocation for two segments of the Roanoke River.

The Department of Environmental Quality invites comments on this intended amendment to the Upper Roanoke River Subarea Water Quality Management Plan, including any alternatives. Copies of the draft proposed regulation may be obtained by contacting Dr. Michael J. Scanlan at the address and telephone number below.

The Department of Environmental Quality invites comments on costs and benefits of this intended amendment to the Upper Roanoke River Subarea Water Quality Management Plan. Comments may be submitted to Dr. Michael J. Scanlan at the address below.

The proposed regulatory amendments will affect the communities of Altavista, in Campbell County and communities served by the Roanoke Regional Water Pollution Control Plan in Roanoke, Virginia (Botetourt County, Roanoke County, Town of Vinton and the cities of Roanoke and Salem).

The Department of Environmental Quality analyzed different alternatives in preparing this proposed regulatory amendment. Additional information regarding these analyses is available from Dr. Michael J. Scanlan at the address below.

Statutory Authority: §§ 62.1-44.15 (10) and 62.1-44.15 (13) of the Code of Virginia.

Contact: Dr. Michael J. Scanlan, Department of Environmental Quality, West Central Regional Office, 3019 Peters Creek Road, Roanoke, VA 24019, telephone (540) 562-6723.

September 9, 1998 - 7 p.m. -- Open Meeting

September 10, 1998 - 2 p.m. -- Open Meeting
Virginia War Memorial, 621 South Belvidere Street, Auditorium, Richmond, Virginia.

A meeting to receive comments from the public on whether the board should propose amendments regarding the numerical criteria for metals, mixing zones to provide specific protection to endangered and threatened species, the listing of endangered species and application of the antidegradation policy to all state activities.

Contact: Eleanore Daub, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4111.

September 24, 1998 - 10 a.m. -- Public Hearing

Department of Environmental Quality, Piedmont Regional Office, 4949 A Cox Road, Glen Allen, Virginia.

October 16, 1998 - Public comments may be submitted until 4 p.m. on this date.

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 repeal regulations entitled: **9 VAC 25-150-10 et seq. Virginia Pollutant Discharge Elimination System (VPDES) General Permit Regulation for Storm Water Discharges Associated with Industrial Activity from Heavy Manufacturing.** This general permit expires on June 30, 1999, and is not going to be reissued. Therefore, the board intends to repeal the regulation. Future discharges of industrial storm water may be authorized under the new general permit, 9 VAC 25-151-10 et seq.

Question and Answer Period: A question and answer period will be held one half hour prior to the public hearing at the same location. Interested citizens will have an opportunity to ask questions pertaining to the proposal at that time.

Request for Comments: The board is seeking comments from interested persons on the proposed repeal of this general permit regulation, as well as comments regarding the costs and benefits of the proposal or any other alternatives.

Localities Affected: The repeal of this regulation will be applicable statewide and will not affect any one locality disproportionately.

Comparison with Statutory Mandates: The repeal of this general permit regulation does not exceed the specific

minimum requirements of any legally binding state or federal mandate.

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

Contact: Richard Ayers, Technical Services Administrator, Department of Environmental Quality, 629 E. Main St., Richmond, VA 23219, telephone (804) 698-4075.

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September 24, 1998 - 10 a.m. -- Public Hearing
Department of Environmental Quality, Piedmont Regional Office, 4949 A Cox Road, Glen Allen, Virginia.

October 16, 1998 - Public comments may be submitted until 4 p.m. on this date.

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 adopt regulations entitled: **9 VAC 25-151-10 et seq. General Virginia Pollutant Discharge Elimination System (VPDES) Permit for Discharges of Storm Water Associated with Industrial Activity.** This regulation will authorize point source discharges of storm water runoff from industrial sites. Discharges may be directly to surface waters or through separate storm sewer systems. This general permit will replace industrial storm water general permits, 9 VAC 25-150-10 et seq., 9 VAC 25-160-10 et seq., and 9 VAC 25-170-10 et seq., which expire June 30, 1999.

Question and Answer Period: A question and answer period will be held one half hour prior to the public hearing at the same location. Interested citizens will have an opportunity to ask questions pertaining to the proposal at that time.

Request for Comments: The board is seeking comments from interested persons on the proposed repeal of this general permit regulation, as well as comments regarding the costs and benefits of the proposal or any other alternatives.

Localities Affected: The regulation will be applicable statewide and will not affect any one locality disproportionately.

Comparison with Statutory Mandates: The repeal of this general permit regulation does not exceed the specific minimum requirements of any legally binding state or federal mandate.

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

Contact: Richard Ayers, Technical Services Administrator, Department of Environmental Quality, 629 E. Main St., Richmond, VA 23219, telephone (804) 698-4075.

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September 24, 1998 - 10 a.m. -- Public Hearing
Department of Environmental Quality, Piedmont Regional Office, 4949 A Cox Road, Glen Allen, Virginia.

October 16, 1998 - Public comments may be submitted until 4 p.m. on this date.

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 repeal regulations entitled: **9 VAC 25-160-10 et seq. Virginia Pollutant Discharge Elimination System (VPDES) General Permit Regulation for Storm Water Discharges Associated with Industrial Activity from Light Manufacturing Facilities.** This general permit expires on June 30, 1999, and is not going to be reissued. Therefore, the board intends to repeal the regulation. Future discharges of industrial storm water may be authorized under the new general permit, 9 VAC 25-151-10 et seq.

Question and Answer Period: A question and answer period will be held one half hour prior to the public hearing at the same location. Interested citizens will have an opportunity to ask questions pertaining to the proposal at that time.

Request for Comments: The board is seeking comments from interested persons on the proposed repeal of this general permit regulation, as well as comments regarding the costs and benefits of the proposal or any other alternatives.

Localities Affected: The repeal of this regulation will be applicable statewide and will not affect any one locality disproportionately.

Comparison with Statutory Mandates: The repeal of this general permit regulation does not exceed the specific minimum requirements of any legally binding state or federal mandate.

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

Contact: Richard Ayers, Technical Services Administrator, Department of Environmental Quality, 629 E. Main St., Richmond, VA 23219, telephone (804) 698-4075.

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September 24, 1998 - 10 a.m. -- Public Hearing
Department of Environmental Quality, Piedmont Regional Office, 4949 A Cox Road, Glen Allen, Virginia.

October 16, 1998 - Public comments may be submitted until 4 p.m. on this date.

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 repeal regulations entitled: **9 VAC 25-170-10 et seq. Virginia Pollutant Discharge Elimination System (VPDES) General Permit Regulation for Storm Water Discharges Associated**

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with Industrial Activity from Transportation Facilities, Landfills, Land Application Sites and Open Dumps, Materials Recycling Facilities, and Steam Electric Power Generating Facilities. This general permit expires on June 30, 1999, and is not going to be reissued. Therefore, the board intends to repeal the regulation. Future discharges of industrial storm water may be authorized under the new general permit, 9 VAC 25-151-10 et seq.

Question and Answer Period: A question and answer period will be held one half hour prior to the public hearing at the same location. Interested citizens will have an opportunity to ask questions pertaining to the proposal at that time.

Request for Comments: The board is seeking comments from interested persons on the proposed repeal of this general permit regulation, as well as comments regarding the costs and benefits of the proposal or any other alternatives.

Localities Affected: The repeal of this regulation will be applicable statewide and will not affect any one locality disproportionately.

Comparison with Statutory Mandates: The repeal of this general permit regulation does not exceed the specific minimum requirements of any legally binding state or federal mandate.

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

Contact: Richard Ayers, Technical Services Administrator, Department of Environmental Quality, 629 E. Main St., Richmond, VA 23219, telephone (804) 698-4075.

September 24, 1998 - 10 a.m. -- Public Hearing
Department of Environmental Quality, Piedmont Regional Office, 4949 A Cox Road, Glen Allen, Virginia.

October 16, 1998 - Public comments may be submitted until 4 p.m. on this date.

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: **9 VAC 25-180-10 et seq. Virginia Pollutant Discharge Elimination System (VPDES) General Permit Regulation for Storm Water Discharges from Construction Sites.** This regulation authorizes discharges of storm water runoff from construction activities. The amendment is proposed in order to reissue the general permit for an additional five year term.

Question and Answer Period: A question and answer period will be held one half hour prior to the public hearing at the same location. Interested citizens will have an opportunity to ask questions pertaining to the proposal at that time.

Request for Comments: The board is seeking comments from interested persons on the proposed repeal of this general permit regulation, as well as comments regarding the costs and benefits of the proposal or any other alternatives.

Localities Affected: The regulation will be applicable statewide and will not affect any one locality disproportionately.

Comparison with Statutory Mandates: The repeal of this general permit regulation does not exceed the specific minimum requirements of any legally binding state or federal mandate.

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

Contact: Richard Ayers, Technical Services Administrator, Department of Environmental Quality, 629 E. Main St., Richmond, VA 23219, telephone (804) 698-4075.

October 1, 1998 - 9:30 a.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, House Room C, Richmond, Virginia.

A regular meeting of the board.

Contact: Cindy M. Berndt, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4378.

BOARD FOR WATERWORKS AND WASTEWATER WORKS OPERATORS

August 31, 1998 - 9 a.m. -- Open Meeting

September 1, 1998 - a. m. -- Open Meeting

Department of Professional and Occupational Regulation, 3600 West Broad Street, Conference Room 4, Richmond, Virginia.☎

The board and invited subject matter experts will meet to conduct an exam workshop. A public comment period will be held at the beginning of the workshop. After the public comment period, the workshop will be conducted in closed executive session under authority of § 2.1-344 A 11 of the Code of Virginia due to the confidential nature of the examination.

Contact: Sharon M. Sweet, Examination Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8572, FAX (804) 367-2474 or (804) 367-9753/TTY ☎

COLLEGE OF WILLIAM AND MARY

† **September 10, 1998 - 8 a.m.** -- Open Meeting

† **September 11, 1998 - 8 a.m.** -- Open Meeting


Blow Memorial Hall, Richmond Road, Williamsburg, Virginia.☎ (Interpreter for the deaf provided upon request)

A regularly scheduled meeting of the Board of Visitors to receive reports from several committees of the board, and to act on those resolutions that are presented by the administrations of the College of William and Mary and Richard Bland College. An informational release will be available four days prior to the board meeting for those individuals and organizations who request it.

Contact: William T. Walker, Jr., Director, Office of University Relations, College of William and Mary, 312 Jamestown Rd., P.O. Box 8795, Williamsburg, VA 23187-8795, telephone (757) 221-2624.


INDEPENDENT

STATE LOTTERY BOARD


† **October 14, 1998 - 9:30 a.m.** -- Open Meeting
State Lottery Department, 900 East Main Street, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A regular business meeting of the board. Public comment will be received at the beginning of the meeting. This meeting replaces the September 23rd meeting, which has been canceled.

Contact: Barbara L. Robertson, Board, Legislative and Regulatory Coordinator, State Lottery Department, 900 E. Main St., Richmond, VA 23219, telephone (804) 692-7105 or FAX (804) 692-7603.


† **October 14, 1998 - 9:30 a.m.** -- Open Meeting
State Lottery Department, 900 East Main Street, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

An annual meeting of the Board of Directors.

Contact: Edward Scarborough, Public Affairs Director, State Lottery Department, 900 E. Main St., Richmond, VA 23219, telephone (804) 692-7771, FAX (804) 692-7775 or (804) 692-7115/TTY 


LEGISLATIVE

ADMINISTRATIVE LAW ADVISORY COMMITTEE

September 10, 1998 - Noon -- Open Meeting
State Capitol, Capitol Square, House Room 2, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A meeting of the Regulatory Process Subcommittee to review data prepared for ongoing study and to prepare for a public hearing.


Contact: Lyn Hammond Coughlin, Program Coordinator, Administrative Law Advisory Committee, General Assembly Bldg., 910 Capitol Square, Richmond, VA 23219, telephone (804) 786-3591 or FAX (804) 692-0625.

September 16, 1998 - 10 a.m. -- Public Hearing
General Assembly Building, 9th and Broad Streets, House Room C, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


A public hearing on the efficiency, effectiveness and equity of Virginia's regulatory process. Contact Lyn Hammond Coughlin by September 9, 1998, to arrange an interpreter. Written comments may be submitted until September 25, 1998.

Contact: Lyn Hammond Coughlin, Program Coordinator, Administrative Law Advisory Committee, General Assembly Bldg., 910 Capitol Square, Richmond, VA 23219, telephone (804) 786-3591 or FAX (804) 692-0625.

JOINT COMMITTEE STUDYING THE STATUS AND NEEDS OF AFRICAN-AMERICAN MALES IN VIRGINIA (SJR 189, 1998)


† **September 2, 1998 - 2 p.m.** -- Open Meeting
General Assembly Building, 9th and Broad Streets, Senate Room A, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A regular meeting. Individuals requiring interpreter services or other special assistance should contact the Committee Operations Office at least seven days prior to the meeting.


Contact: Patricia J. Lung, Senate Committee Operations, P.O. Box 396, Richmond, VA 23218, telephone (804) 698-7450 or (804) 698-7419/TTY 

SENATE SUBCOMMITTEE ON AGRICULTURE, CONSERVATION AND NATURAL RESOURCES

Subcommittee on HB 1207


† **September 22, 1998 - 2 p.m.** -- Open Meeting
General Assembly Building, 9th and Broad Streets, Senate Room A, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A scheduled meeting. Individuals requiring interpreter services or other special assistance should contact the Committee Operations Office at least 10 working days prior to the meeting.

Contact: Brian B. Taylor, Senate Committee Operations, P.O. Box 236, Richmond, VA 23218, telephone (804) 698-7450 or (804) 698-7419/TTY 

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COMMISSION ON THE CONDITION AND FUTURE OF VIRGINIA'S CITIES (HJR 432, 1998)

September 16, 1998 - 1 p.m. -- Open Meeting
Sheraton Norfolk Waterside Hotel, 777 Waterside Drive, Norfolk, Virginia.  (Interpreter for the deaf provided upon request)


October 6, 1998 - 10 a.m. -- Open Meeting
Roanoke Conference Center, 110 Shenandoah Avenue, Roanoke, Virginia.

October 13, 1998 - 10 a.m. -- Open Meeting
Omni Hotel, Charlottesville, Virginia.

A regular meeting. Questions regarding the meeting should be addressed to Jeff Sharp or Nikki Rovner, Division of Legislative Services, (804) 786-3591. Individuals requiring interpreter services or other special assistance should contact the Committee Operations Office at least 10 working days prior to the meeting.

Contact: Barbara Regen, House Committee Operations, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY 


VIRGINIA CODE COMMISSION

September 16, 1998 - 10 a.m. -- CANCELLED
† November 18, 1998 - 10 a.m. -- Open Meeting
General Assembly Building, 910 Capitol Street, Speaker's Conference Room, 6th Floor, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


A meeting to continue with the recodification of Titles 2.1 and 9 of the Code of Virginia.

Contact: Jane Chaffin, Registrar of Regulations, General Assembly Bldg., 910 Capitol Street, 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591, FAX (804) 692-0625 or e-mail jchaffin@leg.state.va.us.


COMMISSION ON COORDINATION OF SERVICES TO FACILITATE SELF-SUFFICIENCY AND SUPPORT OF PERSONS WITH PHYSICAL AND SENSORY DISABILITIES (HJR 274)

September 15, 1998 - 9 a.m. -- Open Meeting
General Assembly Building, 910 Capitol Square, House Room D, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


A regular meeting. Questions regarding the meeting should be addressed to Brian Parsons or Barbara Etnner at the Virginia Board for People with Disabilities, (804) 786-0016. Individuals requiring interpreter services or other special assistance should contact the Committee Operations Office at least 10 working days prior to the meeting.

Contact: Barbara Regen, House Committee Operations, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY 


CORPORATIONS, INSURANCE AND BANKING JOINT SUBCOMMITTEE STUDYING DISPOSAL OF UNCLAIMED PROPERTY (HJR 127)

† September 9, 1998 - 10 a.m. -- Open Meeting
Capitol Building, House Room 1, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


A regular meeting. Questions regarding the meeting should be addressed to Rob Omberg or Arlen Bolstad, Division of Legislative Services, (804) 786-3591. Individuals requiring interpreter services or other special assistance should contact the Committee Operations Office at least 10 working days prior to the meeting.

Contact: Kimberly Rockhold, House Committee Operations, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1543 or (804) 786-2369/TTY 


CORPORATIONS, INSURANCE AND BANKING SPECIAL SUBCOMMITTEE STUDYING EMINENT DOMAIN POWERS OF PUBLIC SERVICE COMPANIES (HJR 274)

† September 14, 1998 - 10 a.m. -- Open Meeting
Capitol Building, House Room 1, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A regular meeting. Questions regarding the meeting should be addressed to Arlen Bolstad, Division of Legislative Services, (804) 786-3591. Individuals requiring interpreter services or other special assistance should contact the Committee Operations Office at least 10 working days prior to the meeting.

Contact: Kimberly Rockhold, House Committee Operations, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1543 or (804) 786-2369/TTY 

COMMISSION ON EDUCATIONAL INFRASTRUCTURE (HJR 165)

September 10, 1998 - 2 p.m. -- Open Meeting
October 28, 1998 - 10 a.m. -- Open Meeting
November 23, 1998 - 2 p.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A regular meeting. Questions regarding the meeting should be addressed to Norma Szakal, Division of Legislative Services, (804) 786-3591. Individuals requiring interpreter services or other special assistance should contact the Committee Operations Office at least 10 working days prior to the meeting.

Contact: Lois V. Johnson, House Committee Operations, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY ☎

EDUCATION AND HEALTH SUBCOMMITTEE STUDYING ALTERNATIVE CONTINUING CONTRACTS FOR TEACHERS AND ADMINISTRATORS (SB 122, 1998)

September 15, 1998 - 2 p.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, Senate Room B, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular meeting. Questions regarding the meeting should be addressed to Norma Szakal, Division of Legislative Services, (804) 786-3591. Individuals requiring interpreter services or other accommodations should call or write Senate Committee Operations at least 10 working days prior to the meeting.

Contact: Patricia J. Lung, Senate Committee Operations, P.O. Box 396, Richmond, VA 23218, telephone (804) 698-7450 or (804) 698-7419/TTY ☎

JOINT SUBCOMMITTEE STUDYING POTENTIAL CHANGES IN RESTRUCTURING THE ELECTRICAL UTILITIES INDUSTRY IN THE COMMONWEALTH (SJR 91, 1998)

† **September 23, 1998 - 10 a.m.** -- Open Meeting
Hotel Roanoke, Ballroom, Roanoke, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular meeting. Individuals requiring interpreter services or other accommodations should call or write Thomas C. Gilman seven working days before the meeting.

Contact: Thomas C. Gilman, Senate Committee Operations, P.O. Box 396, Richmond, VA 23218, telephone (804) 698-7450 or (804) 698-7419/TTY ☎

Task Force on Structure and Transition

† **September 11, 1998 - 9 a.m.** -- Open Meeting
Capitol Building, House Room 4, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular meeting. Individuals requiring interpreter services or other accommodations should call or write Thomas C. Gilman seven working days before the meeting.

Contact: Thomas C. Gilman, Senate Committee Operations, P.O. Box 396, Richmond, VA 23218, telephone (804) 698-7450 or (804) 698-7419/TDD ☎

HOUSE COMMITTEE ON FINANCE

Property Tax Subcommittee

September 21, 1998 - 10:30 a.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, 4th Floor West Conference Room, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular meeting. Questions regarding the meeting should be addressed to Joan E. Putney or Stephanie L. Hamlett, Division of Legislative Services, (804) 786-3591. Individuals requiring interpreter services or other special assistance should contact the Committee Operations Office at least 10 working days prior to the meeting.

Contact: Lois V. Johnson, House Committee Operations, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY ☎

HOUSE COMMITTEE ON GENERAL LAWS

Subcommittee 6

† **October 27, 1998 - 10 a.m.** -- Open Meeting
General Assembly Building, 9th and Broad Streets, House Room C, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting to consider the following resolutions: HJR 181 Study - Motion Picture Production Industry and HJR 260 Study - Waste Tires. Questions regarding the meeting agenda should be addressed to Maria Everett, Division of Legislative Services, (804) 786-3591. Individuals requiring interpreter services or other special assistance should contact the Committee Operations Office at least 10 working days prior to the meeting.

Contact: Lois V. Johnson, House Committee Operations, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY ☎

JOINT COMMISSION ON HEALTH CARE

September 23, 1998 - 10 a.m. -- Open Meeting
October 20, 1998 - 10 a.m. -- Open Meeting
November 17, 1998 - 10 a.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, Senate Room A, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular meeting. Individuals requiring interpreter services or other special assistance should contact Kathleen Myers at least 10 working days prior to the meeting.

Contact: Kathleen Myers, Committee Operations, House of Delegates, State Capitol, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1547 or (804) 786-2369/TTY ☎

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JOINT SUBCOMMITTEE STUDYING LAND DEVELOPMENT PATTERNS AND WAYS TO ADDRESS DEMANDS RESULTING FROM RESIDENTIAL GROWTH (HJR 195)

† **September 25, 1998 - 10 a.m.** -- Open Meeting and Public Hearing

General Assembly Building, 9th and Broad Streets, House Room C, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A meeting and public hearing. Questions regarding the meeting should be addressed to Jeff Sharp, Division of Legislative Services, (804) 786-3591. Individuals requiring interpreter services or other special assistance should contact the Committee Operations Office at least 10 working days prior to the meeting.

Contact: Kathleen Myers, House Committee Operations, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY

JOINT SUBCOMMITTEE STUDYING THE FUTURE DELIVERY OF PUBLICLY FUNDED MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES (HJR 225)

† **September 25, 1998 - 10 a.m.** -- Open Meeting
General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia. (Interpreter for the deaf provided upon request)

† **October 27, 1998 - 10 a.m.** -- Open Meeting
General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia. (Interpreter for the deaf provided upon request)

† **December 16, 1998 - 10 a.m.** -- Open Meeting
General Assembly Building, 9th and Broad Streets, House Room C, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A regular meeting. Individuals requiring interpreter services or other special assistance should contact Dawn Smith at least 10 working days prior to the meeting.

Contact: Dawn B. Smith, Committee Operations, House of Delegates, State Capitol, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY

Human Rights Work Group

† **September 9, 1998 - 10 a.m.** -- Public Hearing
General Assembly Building, 9th and Broad Streets, House Room C, Richmond, Virginia.

The purpose of the hearing is to give the members of the Human Rights Work Group an opportunity to receive public comment on and proposals for models for a Virginia human rights system and program for consumers receiving mental health, mental retardation

and substance abuse services in state facilities and community programs.

The Human Rights Work Group held its first meeting on August 17, 1998, when it received a briefing on the current system for the protection of human rights, as well as the work that was completed last year by the State Mental Health, Mental Retardation and Substance Abuse Services Board and the Joint Subcommittee, including their recommendation for human rights protections for consumers in state facilities and community programs.

Those persons wishing to speak to the Human Rights Work Group may register by calling Anne Howard, House Committee Operations, (804) 698-1540. Speakers are requested to limit their remarks to three minutes. Individuals requiring interpreter services or other assistance should contact Anne Howard.

Contact: Amy Marschean, Division of Legislative Services, General Assembly Building, 2nd floor, Richmond, Virginia 23219, telephone (804) 786-3591, FAX (804) 371-0169 or e-mail amarschean@leg.state.va.us.

Medicaid Carve-Out Work Group

September 1, 1998 - 10 a.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, 4th Floor West Conference Room, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A regular meeting. Please call Gayle Vergara, Division of Legislative Services, (804) 786-3591, with any questions regarding the agenda. Individuals requiring interpreter services or other special assistance should contact Dawn Smith at least 10 working days prior to the meeting.

Contact: Dawn B. Smith, Committee Operations, House of Delegates, State Capitol, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY

INTERSTATE ROUTE 73 COMMUNICATIONS COMMITTEE (HJR 153, 1998)

October 8, 1998 - 10 a.m. -- Open Meeting
Henry County Administration Building, Kings Mountain Road, Board Room, Martinsville, Virginia.

A regular meeting. Questions regarding the meeting should be addressed to Alan Wambold, Division of Legislative Services, (804) 786-3591. Individuals requiring interpreter services or other special assistance should contact the Committee Operations at least 10 working days prior to the meeting.

Contact: Barbara Regen, House Committee Operations, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY

**JOINT SUBCOMMITTEE STUDYING REMEDIATION
(HJR 62)**

† **October 2, 1998 - 10:30 a.m.** -- Open Meeting
General Assembly Building, 9th and Broad Streets, House
Room C, Richmond, Virginia. (Interpreter for the deaf
provided upon request)

A regular meeting. Questions regarding the meeting
should be addressed to Brenda Edwards, Division of
Legislative Services, (804) 786-3591. Individuals
requiring interpreter services or other special assistance
should contact the Committee Operations Office at least
10 working days prior to the meeting. Persons making
audiovisual presentation to the committee should call for
specifications.

Contact: Dawn B. Smith, House Committee Operations,
P.O. Box 406, Richmond, VA 23218, telephone (804) 698-
1540 or (804) 786-2369/TTY

**SPECIAL AGRICULTURE SUBCOMMITTEE
STUDYING THE IMPACT OF INDUSTRIAL SWINE
PRODUCTION IN VIRGINIA (HJR 573)**

† **September 21, 1998 - 2 p.m.** -- Open Meeting
General Assembly Building, 9th and Broad Streets, House
Room C, Richmond, Virginia. (Interpreter for the deaf
provided upon request)

A regular meeting. Questions regarding the meeting
should be addressed to Nicole Rovner, Division of
Legislative Services, (804) 786-3591. Individuals
requiring interpreter services or other special assistance
should contact the Committee Operations Office at least
10 working days prior to the meeting.

Contact: Kathleen Myers, House Committee Operations,
P.O. Box 406, Richmond, VA 23218, telephone (804) 698-
1547 or (804) 786-2369/TTY

STATE WATER COMMISSION

† **September 1, 1998 - 1 p.m.** -- Open Meeting
General Assembly Building, 9th and Broad Streets, House
Room D, Richmond, Virginia. (Interpreter for the deaf
provided upon request)

A regular meeting. Questions regarding the meeting
should be addressed to Martin Farber or Shannon
Varner, Division of Legislative Services, (804) 786-3591.
Individuals requiring interpreter services or other special
assistance should contact the Committee Operations
Office at least 10 working days prior to the meeting.

Contact: Lois V. Johnson, House Committee Operations,
P.O. Box 406, Richmond, VA 23218, telephone (804) 698-
1540 or (804) 786-2369/TTY

CHRONOLOGICAL LIST

OPEN MEETINGS

August 31

Waterworks and Wastewater Works Operators, Board
for

September 1

† Economic Development Partnership, Virginia
- Board of Directors
- Personnel Committee
† Game and Inland Fisheries, Department of
Hopewell Industrial Safety Council
Mental Health, Mental Retardation and Substance Abuse
Services, Joint Subcommittee Studying the Future
Delivery of Publicly Funded (HJR 225)
- Medicaid Carve-Out Work Group
† Museum of Fine Arts, Virginia
- Executive Committee
† Professional Counselors, Marriage and Family
Therapists and Substance Abuse Professionals, Board
of Licensed
† Water Commission, State
Waterworks and Wastewater Works Operators, Board
for

September 2

† African-American Males in Virginia, Joint
Subcommittee Studying the Status and Needs of (SJR
189)
Assistive Technology, Virginia Council on
Emergency Planning Committee, Local - Winchester
† Game and Inland Fisheries, Department of
† Manufactured Housing Board, Virginia
Medicine, Board of
- Advisory Committee on Radiologic Technologists

September 3

† At-Risk Youth and their Families, Comprehensive
Services for
- State Management Team
Conservation and Recreation, Department of
- Falls of the James Scenic River Advisory Board
Emergency Planning Committee, Local - Chesterfield
County
Funeral Directors and Embalmers, Board of
- Legislative Committee
† Game and Inland Fisheries, Department of
† Health Professions, Department of
- Regulatory Research Committee
Medicine, Board of
- Informal Conference Committee
- Advisory Board on Occupational Therapy
- Advisory Board on Respiratory Therapy

September 4

† Pollution Prevention Advisory Committee, Virginia

September 8

† Game and Inland Fisheries, Department of
† Waste Management Facility Operators, Board for

Calendar of Events

September 9

Alcoholic Beverage Control Board
Community Colleges, State Board for
† Contractors, Board for
- Recovery Fund Committee
† Corporations, Insurance and Banking Joint
Subcommittee Studying Disposal of Unclaimed
Property (HJR 127)
Funeral Directors and Embalmers, Board of
- Task Force Committee on Resident Trainee
Program
† Game and Inland Fisheries, Department of
† George Mason University
- Board of Visitors
† Health, State Board of
- AIDS Drug Advisory Committee
Interagency Coordinating Council, Virginia
† Juvenile Justice, State Board of
Medicine, Board of
- Advisory Committee on Acupuncturists
- Advisory Committee on Radiologic Technologists
† Mental Health, Mental Retardation and Substance
Abuse Services, Department of
- POMS Work Group
Mental Health, Mental Retardation and Substance Abuse
Services, Joint Subcommittee Studying the Future
Delivery of Publicly Funded (HJR 225)
- Human Rights Work Group
Transportation Safety Board
Water Control Board, State

September 10

Administrative Law Advisory Committee
Community Colleges, State Board for
† Conservation and Recreation, Department of
- Virginia State Parks Foundation Board of Directors
Educational Infrastructure, Commission on
Health, State Board of
Medicine, Board of
- Advisory Board on Occupational Therapy
- Advisory Board on Respiratory Therapy
† Pharmacy, Board of
† Real Estate Board
- Continuing Education Committee
- Fair Housing Committee
Retirement System, Virginia
- Investment Advisory Committee
Water Control Board, State
† William and Mary, College of
- Board of Visitors

September 11

† Electrical Utilities Industry in the Commonwealth, Joint
Subcommittee Studying Potential Change in
Restructuring the (SJR 91)
- Task Force on Structure and Transition
Health, State Board of
Health Professions, Department of
- Health Practitioners' Intervention Program
Committee

Medicine, Board of
- Advisory Board on Physical Therapy
- Advisory Committee on Physician Assistants
† Mental Health, Mental Retardation and Substance
Abuse Services, Department of
† State Human Rights Committee
† William and Mary, College of
- Board of Visitors

September 14

† Charitable Gaming Commission
† Corporations, Insurance and Banking Special
Subcommittee Studying Eminent Domain Powers of
Public Service Companies (HJR 173)
Cosmetology, Board for
† Motor Vehicle Dealer Board
- Advertising Committee
- Dealer Practices Committee
- Licensing Committee
- Transaction Recovery Fund Committee
Local Government, Commission on
Professional and Occupational Regulation, Board for

September 15

† Agriculture and Consumer Services, Department of
- Virginia Irish Potato Board
Disabilities, Commission on Coordination of Services to
Facilitate Self-Sufficiency and Support of Persons with
Physical and Sensory
Education and Health Subcommittee Studying
Alternative Continuing Contracts for Teachers and
Administrators
Environmental Quality, Department of
- Virginia Ground Water Protection Steering
Committee
† Housing Development Authority, Virginia
† Motor Vehicle Dealer Board
- Finance Committee
- Franchise Law Committee
- Transaction Recovery Fund Committee
† Museum of Fine Arts, Virginia
- Collections Committee
† Recycling Markets Development Council, Virginia
War Memorial Foundation, Virginia
- Board of Trustees

September 16

Cities, Commission on the Condition and Future of
Virginia's
† Forestry, Department of
- Reforestation of Timberlands Board
Funeral Directors and Embalmers, Board of
† Historic Resources, Department of
- State Review Board/Historic Resources Board
† Maternal and Child Health Council
† Medicine, Board of
- Advisory Board on Physical Therapy
- Informal Conference Committee
† Racing Commission, Virginia
† Soil and Water Conservation Board, Virginia
† Transportation Board, Commonwealth

September 17

- Air Pollution Control Board, State
- † Architects, Professional Engineers, Land Surveyors and Landscape Architects, Board for
 - Landscape Architect Section
- † Dentistry, Board of
- Labor and Industry, Department of
 - Apprenticeship Council
- Medical Assistance Services, Department of
 - Drug Utilization Review Board
- † Old Dominion University
 - Board of Visitors
- † Soil and Water Conservation Board, Virginia
- † Transportation Board, Commonwealth

September 18

- Correctional Education, Board of
- † Dentistry, Board of
- † Medicine, Board of
- Rehabilitative Services, Board of

September 21

- Alcoholic Beverage Control Board
- † Chesapeake Bay Local Assistance Department
- Finance, House Committee on
 - Property Tax Subcommittee
- † Library of Virginia, The
 - Archival and Information Service Committee
 - Collection Management Committee
 - Legislative and Finance Committee
 - Public Library Development Committee
 - Publication and Educational Services Committee
 - Records Management Committee
- † Professional Counselors, Marriage and Family Therapists and Substance Abuse Professionals, Board of Licensed
- † Swine Production in Virginia, Joint Subcommittee Studying Industrial (HJR 573)

September 22

- † Agriculture, Conservation and Natural Resources, Senate Committee on
 - Subcommittee on HB 1207
- Land Evaluation Advisory Council, State
- Marine Resources Commission

September 23

- † Agriculture and Consumer Services, Department of
 - Virginia Sweet Potato Board
- Criminal Justice Services Board
- Criminal Justice Services Board and Committee on Training
- † Electrical Utilities Industry in the Commonwealth, Joint Subcommittee Studying Potential Change in Restructuring the (SJR 91)
- Health Care, Joint Commission on
- Labor and Industry, Department of
 - Migrant and Seasonal Farmworkers Board
- Milk Commission, State
- † Sewage Handling and Disposal Appeal Review Board

September 24

- † Architects, Professional Engineers, Land Surveyors and Landscape Architects, Board for
 - Interior Design Section
 - Land Surveyor Section
- † Compensation Board
- † Virginia-Israel Advisory Board

September 25

- † Land Development Patterns and Ways to Address Demands Resulting from Residential Growth, Joint Subcommittee Studying (HJR 195)
- † Museum of Fine Arts, Virginia
 - Board of Trustees
 - Buildings and Grounds Committee
 - Communications and Marketing Committee
 - Exhibitions Committee
 - Finance Committee
 - Legislative Committee
- † Publicly Funded Mental Health, Mental Retardation and Substance Abuse Services, Joint Subcommittee Evaluating the Future Delivery of (HJR 225)

September 26

- Visually Handicapped, Department for the
 - Vocational Rehabilitation Advisory Council

September 29

- Hearing Aid Specialists, Board for

October 1

- † Local Emergency Planning Committee of Chesterfield County
- Water Control Board, State

October 2

- † Remediation, Joint Subcommittee Studying (HJR 62)

October 5

- Alcoholic Beverage Control Board, State
- † Barbers, Board for
- Funeral Directors and Embalmers, Board of
 - Special Conference Committee
- † Medical Assistance Services, Department of
 - Pharmacy Liaison Committee

October 6

- Agriculture and Consumer Services, Department of
 - Virginia Horse Industry Board
- Cities, Commission on the Condition and Future of Virginia's
- Funeral Directors and Embalmers, Board of
 - Special Conference Committee
- † Museum of Fine Arts, Virginia
 - Executive Committee
- † Tourism Corporation Board, Virginia
 - Motion Picture Development Committee

October 8

- Interstate Route 73 Communications Committee
- † Medicine, Board of

October 9

- † Medicine, Board of

Calendar of Events

October 10

† Medicine, Board of

October 13

† Chesapeake Bay Local Assistance Board
- Northern Area Review Committee
- Southern Area Review Committee
Cities, Commission on the Condition and Future of
Virginia's
† Commercial Space Flight Authority, Virginia

October 14

† Lottery Board, State
Visually Handicapped, Board for the

October 19

Alcoholic Beverage Control Board
Funeral Directors and Embalmers, Board of

October 20

Health Care, Joint Commission on

October 21

† George Mason University
- Board of Visitors

October 27

† General Laws, House Committee on
- Subcommittee 6
† Publicly Funded Mental Health, Mental Retardation
and Substance Abuse Services, Joint Subcommittee
Evaluating the Future Delivery of (HJR 225)
† Real Estate Appraiser Board

October 28

Educational Infrastructure, Commission on

October 29

† Compensation Board

November 3

† Museum of Fine Arts, Virginia
- Executive Committee

November 17

Health Care, Joint Commission on

November 18

† Code Commission, Virginia

November 23

Educational Infrastructure, Commission on

December 16

† Publicly Funded Mental Health, Mental Retardation
and Substance Abuse Services, Joint Subcommittee
Evaluating the Future Delivery of (HJR 225)

PUBLIC HEARINGS

August 31

Labor and Industry, Department of

September 1

Labor and Industry, Department of

September 2

Labor and Industry, Department of

September 3

Labor and Industry, Department of

September 9

Medicine, Board of
† Nursing and Medicine, Joint Boards of
Nursing and Medicine, Boards of

September 10

Air Pollution Control Board, State
Mines, Minerals and Energy, Department of

September 11

Social Work, Board of
Voluntary Formulary Board, Virginia

September 14

Game and Inland Fisheries, Department of

September 15

Game and Inland Fisheries, Department of
Mental Health, Mental Retardation and Substance Abuse
Services, Department of

September 16

Administrative Law Advisory Committee
Game and Inland Fisheries, Department of
Optometry, Board of

September 17

Air Pollution Control Board, State
Funeral Directors and Embalmers, Board of
Game and Inland Fisheries, Department of
Veterinary Medicine, Board of

September 18

Dentistry, Board of

September 24

Mental Health, Mental Retardation and Substance Abuse
Services, Department of
Water Control Board, State

September 25

† Land Development Patterns and Ways to Address
Demands Resulting from Residential Growth, Joint
Subcommittee Studying (HJR 195)

October 15

† Pesticide Control Board

October 29

† Branch Pilots, Board for