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# CUMULATIVE TABLE OF VIRGINIA ADMINISTRATIVE CODE SECTIONS ADOPTED, AMENDED, OR REPEALED

The table printed below lists regulation sections, by Virginia Administrative Code (VAC) title, that have been amended, added or repealed in the *Virginia Register* since the regulations were originally published or last supplemented in VAC (the Fall 2004 VAC Supplement includes final regulations published through *Virginia Register* Volume 20, Issue 24, dated August 9, 2004). 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.

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
<b>Title 1. Administration</b>			
1 VAC 75-40-10 through 1 VAC 75-40-60	Added	20:25 VA.R. 3082	9/22/04
<b>Title 2. Agriculture</b>			
2 VAC 5-500	Repealed	21:8 VA.R. 861	1/26/05
2 VAC 5-501-10 through 2 VAC 5-501-110	Added	21:8 VA.R. 861-869	1/26/05
2 VAC 5-530	Repealed	21:8 VA.R. 869	1/26/05
2 VAC 5-531-10 through 2 VAC 5-531-140	Added	21:8 VA.R. 869-908	1/26/05
2 VAC 20-30 (Forms)	Erratum	20:25 VA.R. 3111	--
<b>Title 3. Alcoholic Beverages</b>			
3 VAC 5-50-60	Amended	21:7 VA.R. 803	2/26/05
<b>Title 4. Conservation and Natural Resources</b>			
4 VAC 3-20-10 through 4 VAC 3-20-351	Repealed	21:3 VA.R. 317	1/29/05
4 VAC 15-20-100	Amended	21:3 VA.R. 318	10/1/04
4 VAC 15-40-280	Amended	21:1 VA.R. 24	10/20/04
4 VAC 15-260-10	Amended	20:25 VA.R. 3082	7/28/04
4 VAC 15-320-100	Amended	21:1 VA.R. 24	9/20/04
4 VAC 20-25-10 through 4 VAC 20-25-40	Added	21:8 VA.R. 908-909	12/1/04
4 VAC 20-252-50	Amended	21:13 VA.R. 1824	2/2/05
4 VAC 20-252-55	Amended	21:13 VA.R. 1824	2/2/05
4 VAC 20-252-130	Amended	21:13 VA.R. 1825	2/2/05
4 VAC 20-252-150	Amended	21:13 VA.R. 1825	2/2/05
4 VAC 20-252-160	Amended	21:13 VA.R. 1826	2/2/05
4 VAC 20-270-30	Amended	20:26 VA.R. 3191	8/6/04
4 VAC 20-320-10	Amended	20:26 VA.R. 3191	8/6/04
4 VAC 20-320-70	Amended	20:26 VA.R. 3192	8/6/04
4 VAC 20-320-80	Amended	20:26 VA.R. 3192	8/6/04
4 VAC 20-450-30	Amended	21:13 VA.R. 1827	2/2/05
4 VAC 20-564-10 through 4 VAC 20-564-50 emer	Added	20:25 VA.R. 3096	8/16/04-9/3/04
4 VAC 20-620-40	Amended	21:10 VA.R. 1231	1/1/05
4 VAC 20-620-40	Amended	21:14 VA.R. 1992	3/1/05
4 VAC 20-620-50	Amended	21:14 VA.R. 1993	3/1/05
4 VAC 20-620-60	Amended	21:14 VA.R. 1993	3/1/05
4 VAC 20-620-70	Amended	21:14 VA.R. 1994	3/1/05
4 VAC 20-650-20	Amended	21:8 VA.R. 909	12/1/04
4 VAC 20-720-10 emer	Amended	21:12 VA.R. 1563	2/1/05-2/28/05
4 VAC 20-720-20	Amended	21:4 VA.R. 408	10/1/04
4 VAC 20-720-20	Amended	21:8 VA.R. 910	12/1/04
4 VAC 20-720-20 emer	Amended	21:12 VA.R. 1563	2/1/05-2/28/05
4 VAC 20-720-20	Amended	21:14 VA.R. 1994	3/1/05
4 VAC 20-720-40 emer	Amended	21:12 VA.R. 1564	2/1/05-2/28/05
4 VAC 20-720-40	Amended	21:14 VA.R. 1995	3/1/05
4 VAC 20-720-40 through 4 VAC 20-720-100	Amended	21:4 VA.R. 409-411	10/1/04
4 VAC 20-720-40 through 4 VAC 20-720-90	Amended	21:8 VA.R. 911-913	12/1/04
4 VAC 20-720-49 emer	Added	21:14 VA.R. 2016	3/1/05-3/9/05

## Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
4 VAC 20-720-50 emer	Amended	21:12 VA.R. 1564	2/1/05-2/28/05
4 VAC 20-720-50	Amended	21:14 VA.R. 1995	3/1/05
4 VAC 20-720-60 emer	Amended	21:12 VA.R. 1565	2/1/05-2/28/05
4 VAC 20-720-75	Added	21:8 VA.R. 912	12/1/04
4 VAC 20-720-110 emer	Amended	21:12 VA.R. 1565	2/1/05-2/28/05
4 VAC 20-910-45 emer	Amended	21:5 VA.R. 499	11/1/04-11/30/04
4 VAC 20-910-45	Amended	21:8 VA.R. 913	12/1/04
4 VAC 20-910-45 emer	Amended	21:10 VA.R. 1234	1/1/05-1/30/05
4 VAC 20-910-45	Amended	21:13 VA.R. 1827	2/2/05
4 VAC 20-920-45	Added	21:8 VA.R. 914	12/1/04
4 VAC 20-950-47	Amended	21:5 VA.R. 497	10/29/04
4 VAC 20-950-48 emer	Amended	21:3 VA.R. 334	9/29/04-10/30/04
4 VAC 20-950-48	Amended	21:5 VA.R. 497	10/29/04
4 VAC 20-950-48	Amended	21:13 VA.R. 1828	2/2/05
4 VAC 20-950-48.1	Added	21:5 VA.R. 497	10/29/04
4 VAC 20-1045-10	Added	21:4 VA.R. 412	10/1/04
4 VAC 20-1045-20	Added	21:4 VA.R. 412	10/1/04
4 VAC 20-1045-30	Added	21:4 VA.R. 412	10/1/04
4 VAC 20-1065-10 through 4 VAC 20-1065-40	Added	21:12 VA.R. 1523	2/1/05
4 VAC 25-31 (Forms)	Amended	21:1 VA.R. 28	--
4 VAC 25-130 (Forms)	Amended	21:2 VA.R. 225	--
4 VAC 50-60-10 through 4 VAC 50-60-1240	Added	21:3 VA.R. 317	1/29/05
<b>Title 6. Criminal Justice and Corrections</b>			
6 VAC 20-180-10 through 6 VAC 20-180-50	Amended	21:14 VA.R. 1996-1998	4/20/05
6 VAC 20-180-60	Added	21:14 VA.R. 1998	4/20/05
6 VAC 20-190-10	Amended	21:2 VA.R. 127	11/3/04
6 VAC 20-190-50	Amended	21:2 VA.R. 127	11/3/04
6 VAC 20-190-150	Amended	21:2 VA.R. 127	11/3/04
6 VAC 20-190-160	Amended	21:2 VA.R. 128	11/3/04
6 VAC 20-240-10 through 6 VAC 20-240-140 emer	Added	20:25 VA.R. 3097-3102	8/23/04-8/22/05
6 VAC 35-170-10 through 6 VAC 35-170-230	Added	21:9 VA.R. 1073	2/9/05
<b>Title 8. Education</b>			
8 VAC 20-21-580	Amended	21:15 VA.R. 2111	5/5/05
8 VAC 20-90-10	Amended	21:14 VA.R. 1999	5/2/05
8 VAC 20-90-30	Amended	21:14 VA.R. 2000	5/2/05
8 VAC 20-90-40	Amended	21:14 VA.R. 2003	5/2/05
8 VAC 20-90-70	Amended	21:14 VA.R. 2003	5/2/05
8 VAC 20-140-10	Repealed	21:3 VA.R. 332	1/1/05
8 VAC 20-200-10	Repealed	21:7 VA.R. 804	3/1/05
8 VAC 20-210-10	Erratum	21:13 VA.R. 1941	--
8 VAC 20-210-10	Amended	21:4 VA.R. 413	1/1/05
8 VAC 20-260-10 through 8 VAC 20-260-60	Repealed	21:7 VA.R. 805-806	3/1/05
8 VAC 20-360-10	Amended	21:8 VA.R. 1011	3/15/05
8 VAC 20-360-20	Amended	21:8 VA.R. 1012	3/15/05
8 VAC 20-360-30	Repealed	21:8 VA.R. 1012	3/15/05
8 VAC 20-380-10 through 8 VAC 20-380-40	Repealed	21:7 VA.R. 806-807	3/1/05
8 VAC 20-400-10 through 8 VAC 20-400-50	Repealed	21:7 VA.R. 807-808	3/1/05
8 VAC 20-430-10 through 8 VAC 20-430-50	Repealed	21:7 VA.R. 808-809	3/1/05
8 VAC 20-470-10	Repealed	21:4 VA.R. 423	3/1/05
8 VAC 20-480-10	Repealed	21:7 VA.R. 809	3/1/05
8 VAC 20-520-5 emer	Added	21:14 VA.R. 2016	3/1/05-2/28/06
8 VAC 20-520-10 emer	Repealed	21:14 VA.R. 2017	3/1/05-2/28/06
8 VAC 20-520-20 through 8 VAC 20-520-60 emer	Added	21:14 VA.R. 2017-2018	3/1/05-2/28/06
8 VAC 20-680-10	Added	21:12 VA.R. 1559	5/9/05
8 VAC 20-680-20	Added	21:12 VA.R. 1559	5/9/05
8 VAC 20-690-10 through 8 VAC 20-690-50	Added	21:12 VA.R. 1525	3/29/05

# Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
8 VAC 20-700-10 through 8 VAC 20-700-50 (emer)	Added	21:13 VA.R. 1928-1929	2/16/05-2/15/06
8 VAC 40-30 emer	Repealed	21:6 VA.R. 684	11/8/04-11/7/05
8 VAC 40-31-10 through 8 VAC 40-31-320 emer	Added	21:6 VA.R. 684-698	11/8/04-11/7/05
<b>Title 9. Environment</b>			
9 VAC 5-10-20	Amended	21:15 VA.R. 2112	5/4/05
9 VAC 5-20-21	Amended	21:11 VA.R. 1360	3/9/05
9 VAC 5-20-204	Erratum	20:26 VA.R. 3210-3211	--
9 VAC 5-20-204	Amended	21:7 VA.R. 790	1/12/05
9 VAC 5-20-204	Amended	21:15 VA.R. 2119	5/4/05
9 VAC 5-20-205	Erratum	20:26 VA.R. 3210-3211	--
9 VAC 5-40-6620	Amended	21:15 VA.R. 2120	5/4/05
9 VAC 5-40-7240 through 9 VAC 5-40-7360	Added	21:11 VA.R. 1364-1389	3/9/05
9 VAC 5-40-7260	Erratum	21:13 VA.R. 1941	--
9 VAC 5-40-7270	Erratum	21:13 VA.R. 1941	--
9 VAC 5-50-400	Amended	21:7 VA.R. 791	1/12/05
9 VAC 5-60-60	Amended	21:7 VA.R. 791	1/12/05
9 VAC 5-60-90	Amended	21:7 VA.R. 791	1/12/05
9 VAC 5-60-91	Repealed	21:7 VA.R. 791	1/12/05
9 VAC 5-60-100	Amended	21:7 VA.R. 791	1/12/05
9 VAC 5-80-2000	Amended	21:4 VA.R. 413	12/1/04
9 VAC 5-80-2010	Amended	21:4 VA.R. 414	12/1/04
9 VAC 5-80-2250	Amended	21:4 VA.R. 419	12/1/04
9 VAC 20-80 (Forms)	Amended	21:13 VA.R. 1930	--
9 VAC 20-130 (Forms)	Amended	21:11 VA.R. 1417	--
9 VAC 20-130 (Forms)	Amended	21:13 VA.R. 1930	--
9 VAC 25-31-10	Amended	21:2 VA.R. 128	11/3/04
9 VAC 25-31-10	Amended	21:9 VA.R. 1073	2/9/05
9 VAC 25-31-10	Amended	21:10 VA.R. 1233	2/9/05
9 VAC 25-31-10	Erratum	21:13 VA.R. 1941	--
9 VAC 25-31-30	Amended	21:2 VA.R. 139	11/3/04
9 VAC 25-31-100	Amended	21:2 VA.R. 140	11/3/04
9 VAC 25-31-100	Amended	21:9 VA.R. 1084	2/9/05
9 VAC 25-31-100	Amended	21:10 VA.R. 1233	2/9/05
9 VAC 25-31-100	Erratum	21:14 VA.R. 2022	--
9 VAC 25-31-120	Amended	21:9 VA.R. 1100	2/9/05
9 VAC 25-31-120	Amended	21:10 VA.R. 1233	2/9/05
9 VAC 25-31-120	Erratum	21:13 VA.R. 1941	--
9 VAC 25-31-121	Repealed	21:9 VA.R. 1111	2/9/05
9 VAC 25-31-121	Repealed	21:10 VA.R. 1233	2/9/05
9 VAC 25-31-130	Amended	21:2 VA.R. 158	11/3/04
9 VAC 25-31-130	Amended	21:9 VA.R. 1117	2/9/05
9 VAC 25-31-130	Amended	21:10 VA.R. 1233	2/9/05
9 VAC 25-31-170	Amended	21:2 VA.R. 160	11/3/04
9 VAC 25-31-170	Amended	21:9 VA.R. 1119	2/9/05
9 VAC 25-31-170	Amended	21:10 VA.R. 1233	2/9/05
9 VAC 25-31-200	Amended	21:2 VA.R. 162	11/3/04
9 VAC 25-31-200	Amended	21:9 VA.R. 1121	2/9/05
9 VAC 25-31-200	Amended	21:10 VA.R. 1233	2/9/05
9 VAC 25-31-220	Amended	21:9 VA.R. 1123	2/9/05
9 VAC 25-31-220	Amended	21:10 VA.R. 1233	2/9/05
9 VAC 25-31-390	Amended	21:9 VA.R. 1128	2/9/05
9 VAC 25-31-390	Amended	21:10 VA.R. 1233	2/9/05
9 VAC 25-71-10	Amended	21:2 VA.R. 165	11/3/04
9 VAC 25-71-60	Amended	21:2 VA.R. 166	11/3/04
9 VAC 25-101-30	Amended	21:2 VA.R. 166	11/3/04
9 VAC 25-101-35	Added	21:2 VA.R. 167	11/3/04

## Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
9 VAC 25-101-40	Amended	21:2 VA.R. 167	11/3/04
9 VAC 25-101-45	Added	21:2 VA.R. 170	11/3/04
9 VAC 25-101-50	Amended	21:2 VA.R. 170	11/3/04
9 VAC 25-101-60	Amended	21:2 VA.R. 172	11/3/04
9 VAC 25-101-70	Amended	21:2 VA.R. 172	11/3/04
9 VAC 25-151-140	Amended	21:2 VA.R. 173	11/3/04
9 VAC 25-151-150	Amended	21:2 VA.R. 175	11/3/04
9 VAC 25-151-160	Amended	21:2 VA.R. 179	11/3/04
9 VAC 25-151-180	Amended	21:2 VA.R. 179	11/3/04
9 VAC 25-151-230	Amended	21:2 VA.R. 181	11/3/04
9 VAC 25-151-280	Amended	21:2 VA.R. 182	11/3/04
9 VAC 25-191-50	Erratum	21:9 VA.R. 1170	--
9 VAC 25-191-50	Erratum	21:11 VA.R. 1425	--
9 VAC 25-191-10 through 9 VAC 25-191-50	Added	21:2 VA.R. 183-198	11/3/04
9 VAC 25-192-10	Amended	21:2 VA.R. 199	11/3/04
9 VAC 25-192-20	Amended	21:2 VA.R. 200	11/3/04
9 VAC 25-192-30	Repealed	21:2 VA.R. 200	11/3/04
9 VAC 25-192-40	Repealed	21:2 VA.R. 200	11/3/04
9 VAC 25-192-50	Amended	21:2 VA.R. 200	11/3/04
9 VAC 25-192-60	Amended	21:2 VA.R. 201	11/3/04
9 VAC 25-192-70	Amended	21:2 VA.R. 202	11/3/04
9 VAC 25-260-30 Bottom Creek	Amended	21:11 VA.R. 1389	*
9 VAC 25-260-30 Lake Drummond	Amended	21:11 VA.R. 1390	*
9 VAC 25-260-30 Little Stony Creek	Amended	21:11 VA.R. 1390	*
9 VAC 25-260-30 Ragged Island	Amended	21:11 VA.R. 1390	*
9 VAC 25-400-10	Repealed	20:25 VA.R. 3083	9/22/04
9 VAC 25-401-10 through 9 VAC 25-401-50	Added	20:25 VA.R. 3083	9/22/04
9 VAC 25-590-10 through 9 VAC 25-590-100	Amended	21:8 VA.R. 915-919	1/26/05
9 VAC 25-590-120	Amended	21:8 VA.R. 919	1/26/05
9 VAC 25-590-120	Repealed	21:8 VA.R. 919	1/26/05
9 VAC 25-590-140 through 9 VAC 25-590-210	Amended	21:8 VA.R. 919-923	1/26/05
9 VAC 25-590-260	Amended	21:8 VA.R. 924	1/26/05
9 VAC 25-630 (Forms)	Erratum	21:9 VA.R. 1170	--
9 VAC 25-630-10	Amended	21:2 VA.R. 211	11/3/04
9 VAC 25-630-20	Amended	21:2 VA.R. 212	11/3/04
9 VAC 25-630-30	Amended	21:2 VA.R. 212	11/3/04
9 VAC 25-630-50	Amended	21:2 VA.R. 212	11/3/04
9 VAC 25-660-10 through 9 VAC 25-660-100	Amended	21:8 VA.R. 929-940	1/26/05
9 VAC 25-670-10 through 9 VAC 25-670-100	Amended	21:8 VA.R. 940-957	1/26/05
9 VAC 25-680-10 through 9 VAC 25-680-100	Amended	21:8 VA.R. 957-976	1/26/05
9 VAC 25-690-10 through 9 VAC 25-690-100	Amended	21:8 VA.R. 976-997	1/26/05
9 VAC 25-720-50	Amended	21:9 VA.R. 1130	--
9 VAC 25-720-50	Amended	21:12 VA.R. 1526	3/23/05
9 VAC 25-720-50	Erratum	21:11 VA.R. 1425	--
9 VAC 25-720-60	Amended	21:9 VA.R. 1136	2/9/05
9 VAC 25-720-80	Amended	21:9 VA.R. 1143	2/9/05
9 VAC 25-720-80	Amended	21:12 VA.R. 1527	3/23/05
9 VAC 25-720-90	Amended	21:9 VA.R. 1152	2/9/05
9 VAC 25-720-90	Amended	21:12 VA.R. 1527	3/23/05
9 VAC 25-720-130	Amended	21:12 VA.R. 1528	3/23/05
<b>Title 10. Finance and Financial Institutions</b>			
10 VAC 5-100-10	Repealed	21:6 VA.R. 630	6/30/05
10 VAC 5-100-20	Repealed	21:6 VA.R. 630	6/30/05
10 VAC 5-100-30	Repealed	21:6 VA.R. 630	6/30/05

\* 30 days after publication of notice of EPA approval.

# Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
10 VAC 5-110-10	Added	21:6 VA.R. 631	11/15/04
10 VAC 5-110-20	Added	21:6 VA.R. 631	11/15/04
<b>Title 11. Gaming</b>			
11 VAC 10-20-200	Amended	20:25 VA.R. 3083	9/23/04
11 VAC 10-20-240 emer	Amended	20:25 VA.R. 3102	7/28/04-7/27/05
11 VAC 10-45 (Forms)	Erratum	20:25 VA.R. 3112	--
<b>Title 12. Health</b>			
12 VAC 5-90-10 emer	Amended	21:6 VA.R. 699	11/5/04-11/4/05
12 VAC 5-90-40 emer	Amended	21:6 VA.R. 702	11/5/04-11/4/05
12 VAC 5-90-90 emer	Amended	21:6 VA.R. 703	11/5/04-11/4/05
12 VAC 5-90-100 emer	Amended	21:6 VA.R. 705	11/5/04-11/4/05
12 VAC 5-90-105 emer	Added	21:6 VA.R. 705	11/5/04-11/4/05
12 VAC 5-90-110 emer	Amended	21:6 VA.R. 706	11/5/04-11/4/05
12 VAC 5-90-120 emer	Added	21:6 VA.R. 708	11/5/04-11/4/05
12 VAC 5-220-10	Amended	20:26 VA.R. 3193	9/27/04
12 VAC 5-220-160	Amended	20:26 VA.R. 3196	9/27/04
12 VAC 5-220-230	Amended	20:26 VA.R. 3197	9/27/04
12 VAC 5-220-385	Amended	20:26 VA.R. 3198	9/27/04
12 VAC 5-371-110	Amended	20:26 VA.R. 3200	9/27/04
12 VAC 5-410-10	Amended	21:12 VA.R. 1561	5/9/05
12 VAC 5-410-440	Erratum	21:8 VA.R. 1016	--
12 VAC 5-410-440	Amended	21:6 VA.R. 665	2/14/05
12 VAC 5-410-441 through 12 VAC 5-410-447	Added	21:6 VA.R. 666-681	2/14/05
12 VAC 5-590-10	Amended	21:13 VA.R. 1829	4/6/05
12 VAC 5-590-370	Amended	21:13 VA.R. 1835	4/6/05
12 VAC 5-590-410	Amended	21:13 VA.R. 1860	4/6/05
12 VAC 5-590-420	Amended	21:13 VA.R. 1863	4/6/05
12 VAC 5-590-500	Amended	21:13 VA.R. 1879	4/6/05
12 VAC 5-590-505 emer	Added	21:9 VA.R. 1165	12/21/04-12/20/05
12 VAC 5-590-530	Amended	21:13 VA.R. 1880	4/6/05
12 VAC 5-590-540	Amended	21:13 VA.R. 1886	4/6/05
12 VAC 5-590-550	Amended	21:13 VA.R. 1890	4/6/05
12 VAC 5-590, Appendix L	Amended	21:13 VA.R. 1891	4/6/05
12 VAC 5-590, Appendix M	Amended	21:13 VA.R. 1897	4/6/05
12 VAC 5-590, Appendix O	Amended	21:13 VA.R. 1901	4/6/05
12 VAC 30-10-650	Amended	21:6 VA.R. 631	1/3/05
12 VAC 30-40-290	Amended	21:15 VA.R. 2128	6/20/05
12 VAC 30-40-300	Amended	21:15 VA.R. 2130	6/20/05
12 VAC 30-50-210	Amended	21:6 VA.R. 632	1/3/05
12 VAC 30-50-490 emer	Amended	21:12 VA.R. 1566	2/1/05-1/31/06
12 VAC 30-70-301	Amended	21:14 VA.R. 2014	6/6/05
12 VAC 30-70-331	Amended	21:6 VA.R. 683	7/1/05
12 VAC 30-80-30	Amended	21:7 VA.R. 797	1/12/05
12 VAC 30-80-40	Amended	21:6 VA.R. 632	1/3/05
12 VAC 30-80-40 emer	Amended	21:6 VA.R. 709	12/1/04-11/30/05
12 VAC 30-80-40	Amended	21:15 VA.R. 2121	7/1/05
12 VAC 30-80-190 emer	Amended	20:26 VA.R. 3203	9/1/04-8/31/05
12 VAC 30-80-190 emer	Amended	20:26 VA.R. 3204	9/1/04-8/31/05
12 VAC 30-80-190	Amended	21:7 VA.R. 800	1/12/05
12 VAC 30-90-29	Amended	21:2 VA.R. 223	11/3/04
12 VAC 30-90-41	Amended	21:15 VA.R. 2136	7/1/05
12 VAC 30-120-10 through 12 VAC 30-120-60 emer	Repealed	21:12 VA.R. 1601	2/1/05-1/31/06
12 VAC 30-120-211 emer	Amended	21:6 VA.R. 711	12/1/04-11/30/05
12 VAC 30-120-213 emer	Amended	21:6 VA.R. 714	12/1/04-11/30/05
12 VAC 30-120-215 emer	Amended	21:6 VA.R. 715	12/1/04-11/30/05
12 VAC 30-120-219 emer	Amended	21:6 VA.R. 718	12/1/04-11/30/05

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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
12 VAC 30-120-223 emer	Amended	21:6 VA.R. 719	12/1/04-11/30/05
12 VAC 30-120-225 emer	Amended	21:6 VA.R. 720	12/1/04-11/30/05
12 VAC 30-120-227 emer	Amended	21:6 VA.R. 724	12/1/04-11/30/05
12 VAC 30-120-229 emer	Amended	21:6 VA.R. 725	12/1/04-11/30/05
12 VAC 30-120-233 emer	Amended	21:6 VA.R. 726	12/1/04-11/30/05
12 VAC 30-120-237 emer	Amended	21:6 VA.R. 728	12/1/04-11/30/05
12 VAC 30-120-241 emer	Amended	21:6 VA.R. 729	12/1/04-11/30/05
12 VAC 30-120-243 emer	Amended	21:6 VA.R. 730	12/1/04-11/30/05
12 VAC 30-120-245 emer	Amended	21:6 VA.R. 732	12/1/04-11/30/05
12 VAC 30-120-247 emer	Amended	21:6 VA.R. 733	12/1/04-11/30/05
12 VAC 30-120-249 emer	Amended	21:6 VA.R. 734	12/1/04-11/30/05
12 VAC 30-120-260	Amended	21:11 VA.R. 1391	3/10/05
12 VAC 30-120-280	Amended	21:11 VA.R. 1392	3/10/05
12 VAC 30-120-290	Amended	21:11 VA.R. 1394	3/10/05
12 VAC 30-120-310	Amended	21:11 VA.R. 1395	3/10/05
12 VAC 30-120-320	Amended	21:11 VA.R. 1395	3/10/05
12 VAC 30-120-350	Amended	21:11 VA.R. 1395	3/10/05
12 VAC 30-120-360	Amended	21:11 VA.R. 1396	3/10/05
12 VAC 30-120-370	Amended	21:11 VA.R. 1398	3/10/05
12 VAC 30-120-380	Amended	21:11 VA.R. 1400	3/10/05
12 VAC 30-120-400	Amended	21:11 VA.R. 1401	3/10/05
12 VAC 30-120-410	Amended	21:11 VA.R. 1401	3/10/05
12 VAC 30-120-420	Amended	21:11 VA.R. 1402	3/10/05
12 VAC 30-120-490 through 12 VAC 30-120-550 emer	Repealed	21:12 VA.R. 1601	2/1/05-1/31/06
12 VAC 30-120-700 emer	Amended	21:12 VA.R. 1568	2/1/05-1/31/06
12 VAC 30-120-710 emer	Amended	21:12 VA.R. 1572	2/1/05-1/31/06
12 VAC 30-120-720 emer	Amended	21:12 VA.R. 1572	2/1/05-1/31/06
12 VAC 30-120-730 emer	Amended	21:12 VA.R. 1576	2/1/05-1/31/06
12 VAC 30-120-740 emer	Amended	21:12 VA.R. 1578	2/1/05-1/31/06
12 VAC 30-120-750 emer	Amended	21:12 VA.R. 1579	2/1/05-1/31/06
12 VAC 30-120-752 emer	Amended	21:12 VA.R. 1580	2/1/05-1/31/06
12 VAC 30-120-753 emer	Amended	21:12 VA.R. 1582	2/1/05-1/31/06
12 VAC 30-120-754 emer	Amended	21:12 VA.R. 1583	2/1/05-1/31/06
12 VAC 30-120-756 emer	Amended	21:12 VA.R. 1584	2/1/05-1/31/06
12 VAC 30-120-758 emer	Amended	21:12 VA.R. 1585	2/1/05-1/31/06
12 VAC 30-120-760 emer	Amended	21:12 VA.R. 1586	2/1/05-1/31/06
12 VAC 30-120-762 emer	Amended	21:12 VA.R. 1586	2/1/05-1/31/06
12 VAC 30-120-764 emer	Amended	21:12 VA.R. 1587	2/1/05-1/31/06
12 VAC 30-120-766 emer	Amended	21:12 VA.R. 1588	2/1/05-1/31/06
12 VAC 30-120-768 emer	Amended	21:12 VA.R. 1590	2/1/05-1/31/06
12 VAC 30-120-770 emer	Amended	21:12 VA.R. 1592	2/1/05-1/31/06
12 VAC 30-120-772 emer	Amended	21:12 VA.R. 1596	2/1/05-1/31/06
12 VAC 30-120-774 emer	Amended	21:12 VA.R. 1597	2/1/05-1/31/06
12 VAC 30-120-776 emer	Amended	21:12 VA.R. 1598	2/1/05-1/31/06
12 VAC 30-120-780 emer	Repealed	21:12 VA.R. 1600	2/1/05-1/31/06
12 VAC 30-120-790 emer	Repealed	21:12 VA.R. 1601	2/1/05-1/31/06
12 VAC 30-120-900 through 12 VAC 30-120-990 emer	Added	21:12 VA.R. 1601-1619	2/1/05-1/31/06
12 VAC 30-130-290	Amended	21:6 VA.R. 631	1/3/05
12 VAC 30-130-310	Amended	21:6 VA.R. 631	1/3/05
12 VAC 30-130-320	Amended	21:6 VA.R. 631	1/3/05
12 VAC 30-130-330	Amended	21:6 VA.R. 631	1/3/05
12 VAC 30-130-335	Added	21:6 VA.R. 631	1/3/05
12 VAC 30-130-400	Amended	21:6 VA.R. 631	1/3/05
12 VAC 30-130-1000	Added	21:6 VA.R. 633	1/3/05
<b>Title 13. Housing</b>			
13 VAC 5-62-260	Amended	20:25 VA.R. 3084	9/8/04



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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
13 VAC 5-63-110	Erratum	21:14 VA.R. 2021	--
13 VAC 10-180-10	Amended	21:11 VA.R. 1403	1/14/05
13 VAC 10-180-50	Amended	21:11 VA.R. 1403	1/14/05
13 VAC 10-180-60	Amended	21:11 VA.R. 1403	1/14/05
13 VAC 10-180-90	Amended	21:11 VA.R. 1412	1/14/05
13 VAC 10-180-110	Added	21:11 VA.R. 1412	1/14/05
<b>Title 14. Insurance</b>			
14 VAC 5-90-10 through 14 VAC 5-90-50	Amended	20:25 VA.R. 3090-3091	8/4/04
14 VAC 5-90-55	Added	20:25 VA.R. 3091	8/4/04
14 VAC 5-90-60 through 14 VAC 5-90-180	Amended	20:25 VA.R. 3092	8/4/04
14 VAC 5-90 (Forms)	Amended	20:25 VA.R. 3092	8/4/04
<b>Title 16. Labor and Employment</b>			
16 VAC 25-40-10	Amended	20:26 VA.R. 3201	10/15/04
16 VAC 25-40-20	Amended	20:26 VA.R. 3201	10/15/04
16 VAC 25-40-50	Amended	20:26 VA.R. 3202	10/15/04
16 VAC 25-90-1910	Erratum	21:1 VA.R. 44	--
16 VAC 25-90-1910.103	Amended	20:26 VA.R. 3202	10/15/04
16 VAC 25-90-1910.134	Amended	21:11 VA.R. 1412	3/15/05
16 VAC 25-90-1910.217	Amended	20:26 VA.R. 3202	10/15/04
16 VAC 25-90-1910.219	Amended	20:26 VA.R. 3202	10/15/04
16 VAC 25-90-1910.268	Amended	20:26 VA.R. 3202	10/15/04
16 VAC 25-90-1926.307	Amended	20:26 VA.R. 3202	10/15/04
16 VAC 25-100-1915.5	Amended	21:11 VA.R. 1413	3/15/05
16 VAC 25-100-1915.501 through 16 VAC 25-100-1915.509	Added	21:11 VA.R. 1413-1414	3/15/05
16 VAC 25-155-10	Added	21:6 VA.R. 634	1/1/05
16 VAC 25-175-1926	Erratum	21:1 VA.R. 44	--
16 VAC 25-175-1926.950(c)(1)	Repealed	21:6 VA.R. 634	1/1/05
<b>Title 18. Professional and Occupational Licensing</b>			
18 VAC 5-30-10 through 18 VAC 5-30-110	Repealed	21:3 VA.R. 318	11/3/04
18 VAC 10-20-60	Amended	21:3 VA.R. 318	12/1/04
18 VAC 10-20-90	Amended	21:3 VA.R. 318	12/1/04
18 VAC 10-20-170	Amended	21:3 VA.R. 318	12/1/04
18 VAC 10-20-280	Amended	21:3 VA.R. 318	12/1/04
18 VAC 10-20-400	Amended	21:3 VA.R. 318	12/1/04
18 VAC 10-20-520	Amended	21:3 VA.R. 318	12/1/04
18 VAC 10-20-565	Amended	21:3 VA.R. 318	12/1/04
18 VAC 10-20-580	Amended	21:3 VA.R. 318	12/1/04
18 VAC 10-20-625	Amended	21:3 VA.R. 318	12/1/04
18 VAC 10-20-630	Amended	21:3 VA.R. 318	12/1/04
18 VAC 10-20-665	Amended	21:3 VA.R. 318	12/1/04
18 VAC 45-10-10 through 18 VAC 45-10-40	Amended	20:25 VA.R. 3093-3094	11/8/04
18 VAC 45-10-60 through 18 VAC 45-10-90	Amended	20:25 VA.R. 3094-3095	11/8/04
18 VAC 62-20-60	Erratum	21:1 VA.R. 44	--
18 VAC 62-20-40 emer	Added	20:25 VA.R. 3104	7/23/04-2/1/05
18 VAC 62-20-90 emer	Added	20:25 VA.R. 3104	7/23/04-2/1/05
18 VAC 85-15-10	Added	21:1 VA.R. 26	9/1/04-8/31/05
18 VAC 85-15-20	Added	21:1 VA.R. 26	9/1/04-8/31/05
18 VAC 85-15-30	Added	21:1 VA.R. 26	9/1/04-8/31/05
18 VAC 85-80-61 emer	Added	20:25 VA.R. 3105	7/27/04-7/26/05
18 VAC 90-15-10	Added	21:1 VA.R. 27	9/1/04-8/31/05
18 VAC 90-15-20	Added	21:1 VA.R. 27	9/1/04-8/31/05
18 VAC 90-15-30	Added	21:1 VA.R. 27	9/1/04-8/31/05
18 VAC 90-20-361 through 18 VAC 90-20-364	Repealed	21:9 VA.R. 1156-1157	3/26/05
18 VAC 90-25-15	Added	21:9 VA.R. 1157	3/26/05
18 VAC 90-25-100	Amended	21:9 VA.R. 1158	3/26/05

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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
18 VAC 90-25-110 through 18 VAC 90-25-140	Added	21:9 VA.R. 1158-1160	3/26/05
18 VAC 90-30-10	Amended	21:11 VA.R. 1414	3/9/05
18 VAC 90-30-60 through 18 VAC 90-30-90	Amended	21:11 VA.R. 1415-1416	3/9/05
18 VAC 90-30-85	Added	21:11 VA.R. 1415	3/9/05
18 VAC 95-20-471 emer	Added	20:25 VA.R. 3105	7/28/04-7/27/05
18 VAC 105-20-5 emer	Added	21:6 VA.R. 735	12/8/04-12/7/05
18 VAC 105-20-10 emer	Amended	21:6 VA.R. 736	12/8/04-12/7/05
18 VAC 105-20-15 emer	Amended	21:6 VA.R. 736	12/8/04-12/7/05
18 VAC 105-20-16 emer	Added	21:6 VA.R. 736	12/8/04-12/7/05
18 VAC 105-20-20 emer	Amended	21:6 VA.R. 736	12/8/04-12/7/05
18 VAC 105-20-46	Added	21:8 VA.R. 998	12/8/04
18 VAC 105-20-47	Added	21:8 VA.R. 998	12/8/04
18 VAC 105-20-70 emer	Amended	21:6 VA.R. 737	12/8/04-12/7/05
18 VAC 105-30 emer	Repealed	21:6 VA.R. 735	12/8/04-12/7/05
18 VAC 110-20-15	Added	21:15 VA.R. 2122	5/4/05
18 VAC 125-15-10 emer	Added	20:25 VA.R. 3106	7/28/04-7/27/05
18 VAC 125-15-20 emer	Added	20:25 VA.R. 3106	7/28/04-7/27/05
18 VAC 125-15-30 emer	Added	20:25 VA.R. 3106	7/28/04-7/27/05
18 VAC 145-20-151	Amended	21:3 VA.R. 319	12/1/04
18 VAC 160-20-102	Amended	21:3 VA.R. 319	12/1/04
<b>Title 19. Public Safety</b>			
19 VAC 30-70-1	Amended	21:4 VA.R. 420	9/22/04
19 VAC 30-70-2	Amended	21:4 VA.R. 420	9/22/04
19 VAC 30-70-6	Amended	21:4 VA.R. 420	9/22/04
19 VAC 30-70-7	Amended	21:4 VA.R. 420	9/22/04
19 VAC 30-70-8	Amended	21:4 VA.R. 420	9/22/04
19 VAC 30-70-9	Added	21:4 VA.R. 420	9/22/04
19 VAC 30-70-10	Amended	21:4 VA.R. 420	9/22/04
19 VAC 30-70-30 through 19 VAC 30-70-110	Amended	21:4 VA.R. 420	9/22/04
19 VAC 30-70-130 through 19 VAC 30-70-170	Amended	21:4 VA.R. 420	9/22/04
19 VAC 30-70-190 through 19 VAC 30-70-230	Amended	21:4 VA.R. 420	9/22/04
19 VAC 30-70-250 through 19 VAC 30-70-300	Amended	21:4 VA.R. 420	9/22/04
19 VAC 30-70-340	Amended	21:4 VA.R. 420	9/22/04
19 VAC 30-70-350	Amended	21:4 VA.R. 420	9/22/04
19 VAC 30-70-360	Amended	21:4 VA.R. 420	9/22/04
19 VAC 30-70-400	Amended	21:4 VA.R. 420	9/22/04
19 VAC 30-70-430 through 19 VAC 30-70-560	Amended	21:4 VA.R. 420	9/22/04
19 VAC 30-70-580	Amended	21:4 VA.R. 420	9/22/04
19 VAC 30-70-600	Amended	21:4 VA.R. 420	9/22/04
19 VAC 30-70-650	Amended	21:4 VA.R. 420	9/22/04
<b>Title 22. Social Services</b>			
22 VAC 15-30-10	Amended	21:12 VA.R. 1528	6/1/05
22 VAC 15-30-30	Amended	21:12 VA.R. 1532	6/1/05
22 VAC 15-30-50	Amended	21:12 VA.R. 1532	6/1/05
22 VAC 15-30-70	Amended	21:12 VA.R. 1533	6/1/05
22 VAC 15-30-80	Amended	21:12 VA.R. 1533	6/1/05
22 VAC 15-30-90	Amended	21:12 VA.R. 1533	6/1/05
22 VAC 15-30-110	Amended	21:12 VA.R. 1534	6/1/05
22 VAC 15-30-140	Amended	21:12 VA.R. 1534	6/1/05
22 VAC 15-30-150	Amended	21:12 VA.R. 1534	6/1/05
22 VAC 15-30-160	Amended	21:12 VA.R. 1534	6/1/05
22 VAC 15-30-180	Amended	21:12 VA.R. 1535	6/1/05
22 VAC 15-30-190	Amended	21:12 VA.R. 1535	6/1/05
22 VAC 15-30-200	Amended	21:12 VA.R. 1536	6/1/05
22 VAC 15-30-200	Erratum	21:13 VA.R. 1941	--
22 VAC 15-30-230	Amended	21:12 VA.R. 1536	6/1/05

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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
22 VAC 15-30-250	Amended	21:12 VA.R. 1537	6/1/05
22 VAC 15-30-260	Amended	21:12 VA.R. 1537	6/1/05
22 VAC 15-30-290	Amended	21:12 VA.R. 1538	6/1/05
22 VAC 15-30-310 through 22 VAC 15-30-390	Amended	21:12 VA.R. 1538-1542	6/1/05
22 VAC 15-30-410	Amended	21:12 VA.R. 1542	6/1/05
22 VAC 15-30-430	Amended	21:12 VA.R. 1543	6/1/05
22 VAC 15-30-440	Amended	21:12 VA.R. 1543	6/1/05
22 VAC 15-30-451	Amended	21:12 VA.R. 1545	6/1/05
22 VAC 15-30-461	Amended	21:12 VA.R. 1545	6/1/05
22 VAC 15-30-471	Amended	21:12 VA.R. 1545	6/1/05
22 VAC 15-30-490	Amended	21:12 VA.R. 1546	6/1/05
22 VAC 15-30-500	Amended	21:12 VA.R. 1547	6/1/05
22 VAC 15-30-510	Amended	21:12 VA.R. 1547	6/1/05
22 VAC 15-30-520	Amended	21:12 VA.R. 1548	6/1/05
22 VAC 15-30-540 through 22 VAC 15-30-670	Amended	21:12 VA.R. 1548-1556	6/1/05
22 VAC 15-30-575	Erratum	21:13 VA.R. 1941	--
22 VAC 15-30-585	Added	21:12 VA.R. 1550	6/1/05
22 VAC 40-141-10 through 22 VAC 40-141-40	Amended	21:6 VA.R. 635	2/1/05
22 VAC 40-141-60 through 22 VAC 40-141-130	Amended	21:6 VA.R. 635	2/1/05
22 VAC 40-141-87	Added	21:6 VA.R. 634	2/1/05
22 VAC 40-141-150	Amended	21:6 VA.R. 636	2/1/05
22 VAC 40-141-170 through 22 VAC 40-141-210	Amended	21:6 VA.R. 636-638	2/1/05
22 VAC 40-705-30	Amended	21:4 VA.R. 421	12/1/04
<b>Title 24. Transportation and Motor Vehicles</b>			
24 VAC 20-70-10 through 24 VAC 20-70-50	Repealed	20:25 VA.R. 3092	9/22/04
24 VAC 30-41-30	Amended	21:13 VA.R. 1911	4/6/05
24 VAC 30-41-50	Amended	21:13 VA.R. 1913	4/6/05
24 VAC 30-41-110	Amended	21:13 VA.R. 1913	4/6/05
24 VAC 30-41-190	Amended	21:13 VA.R. 1914	4/6/05
24 VAC 30-41-210	Amended	21:13 VA.R. 1915	4/6/05
24 VAC 30-41-220	Amended	21:13 VA.R. 1916	4/6/05
24 VAC 30-41-230	Amended	21:13 VA.R. 1916	4/6/05
24 VAC 30-41-250	Amended	21:13 VA.R. 1917	4/6/05
24 VAC 30-41-280	Amended	21:13 VA.R. 1917	4/6/05
24 VAC 30-41-290	Amended	21:13 VA.R. 1918	4/6/05
24 VAC 30-41-300	Amended	21:13 VA.R. 1918	4/6/05
24 VAC 30-41-310	Amended	21:13 VA.R. 1918	4/6/05
24 VAC 30-41-320	Amended	21:13 VA.R. 1919	4/6/05
24 VAC 30-41-350	Amended	21:13 VA.R. 1920	4/6/05
24 VAC 30-41-430	Amended	21:13 VA.R. 1920	4/6/05
24 VAC 30-41-500	Amended	21:13 VA.R. 1921	4/6/05
24 VAC 30-41-510	Amended	21:13 VA.R. 1921	4/6/05
24 VAC 30-41-520	Amended	21:13 VA.R. 1921	4/6/05
24 VAC 30-41-530	Amended	21:13 VA.R. 1922	4/6/05
24 VAC 30-41-580	Amended	21:13 VA.R. 1922	4/6/05
24 VAC 30-41-650	Amended	21:13 VA.R. 1923	4/6/05
24 VAC 30-41-660	Amended	21:13 VA.R. 1923	4/6/05
24 VAC 30-41-680	Amended	21:13 VA.R. 1923	4/6/05
24 VAC 30-90-10 through 24 VAC 30-90-380	Repealed	21:6 VA.R. 643	1/1/05
24 VAC 30-91-10	Erratum	21:12 VA.R. 1776	--
24 VAC 30-91-110	Erratum	21:12 VA.R. 1776	--
24 VAC 30-91-130	Erratum	21:12 VA.R. 1776	--
24 VAC 30-91-10 through 24 VAC 30-91-160	Added	21:6 VA.R. 643-663	1/1/05
24 VAC 30-120-170	Amended	21:3 VA.R. 330	11/17/04
24 VAC 30-620-10	Amended	21:15 VA.R. 2123	5/22/05
24 VAC 30-620-30	Amended	21:15 VA.R. 2123	5/22/05

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# PETITIONS FOR RULEMAKING

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## TITLE 2. AGRICULTURE

### DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

#### Initial Agency Notice

Title of Regulation: 2 VAC 5-140. Health Requirements Governing the Admission of Livestock, Poultry, Companion Animals, and Other Animals or Birds into Virginia.

Statutory Authority: §§ 2.2-4007 A and 3.1-726 A of the Code of Virginia.

Name of Petitioner: Christine Solem, Director, Virginia State Dairy Goat Association, Inc.

Nature of Petitioner's Request: The petitioner, at the request of the Virginia State Dairy Goat Association, Inc., has petitioned the agency to amend 2 VAC 5-140-100 B and C for the following reasons:

"Under § 3.1-726 A of the Code of Virginia, the board has the authority to adopt regulations as may be necessary to eradicate and prevent the spread of contagious and infectious diseases such as tuberculosis and Bangs abortion disease (brucellosis). Cattle for dairy or breeding purposes, under 2 VAC 5-140-50 A 1 and B 3 a, may enter the Commonwealth without tuberculosis and brucellosis testing if they originate from a certified tuberculosis-free area and a brucellosis-free state. However, 2 VAC 5-140-100 B and C states that goats for dairy or breeding purposes may enter the Commonwealth only if they are individually tested for tuberculosis and brucellosis within 30 days of entry or originate from a herd in which all animals tested negative for tuberculosis and brucellosis within 12 months prior to entry.

Yet goats are not nearly as susceptible to tuberculosis and brucellosis as are cattle. In fact, many states no longer require the testing of goats for these two diseases before entry. Certainly the testing of goats entering Virginia from areas and states free of tuberculosis and brucellosis is not necessary as it has been determined already that it is not necessary even for cattle. Such nonessential testing creates an unreasonable economic burden which adversely impacts the dairy goat industry here in Virginia, especially with respect to exhibition animals which enter the state for a day or two and then return home.

Petitioner therefore asks the agency to amend 2 VAC 5-140-100 B and C so that the regulations pertaining to goats conform to the same requirements as cattle entering the state from an area or state free of tuberculosis and brucellosis."

Agency's Plan for Disposition of Request: The agency plans to place this petition before the Board of Agriculture and Consumer Services for its consideration.

Public comments may be submitted until May 19, 2005.

Agency Contact: David E. Cardin, DVM, Deputy State Veterinarian, State Veterinarian's Office, 1100 Bank Street, Suite 101, Richmond, VA 23219, telephone (804) 692-0601,

FAX (804) 225-2666, or e-mail david.cardin@vdacs.virginia.gov.

VA.R. Doc. No. R05-160; Filed March 24, 2005, 2:13 p.m.

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## TITLE 9. ENVIRONMENT

### STATE WATER CONTROL BOARD

#### Agency Decision

Title of Regulation: 9 VAC 25-260. Water Quality Standards.

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

Names of Petitioners: Amherst County Service Authority.

Nature of Petitioners' Request: Designate as an exceptional state surface water Cove Creek, Little Cove Creek and its tributaries, Rocky Branch, North Fork of the Buffalo River from its confluence with Rocky Branch downstream to the National Forest boundary, Roberts Creek, and Shady Mountain Creek, all of which are within Amherst County.

Agency Decision: Request Granted

Statement of Reasons for Decision: The State Water Control Board had previously determined that the nominated waters met the eligibility requirements for designation as exceptional state surface waters. The comment period has been completed and no adverse comments were received, so the department is authorized to initiate a regulatory action and has done so.

Agency Contact: David C. Whitehurst, Environmental Specialist I, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4121, FAX (804) 698-4522, or e-mail dcwhitehurst@deq.virginia.gov.

VA.R. Doc. No. R05-103; Filed April 5, 2005, 12:31 p.m.

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# NOTICES OF INTENDED REGULATORY ACTION

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## Symbol Key

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

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## TITLE 8. EDUCATION

2403, FAX (804) 225-2524 or e-mail  
anne.wescott@doe.virginia.gov.

VA.R. Doc. No. R05-142; Filed March 1, 2005, 2:37 p.m.

### STATE BOARD OF EDUCATION

#### Notice of Intended Regulatory Action

#### Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Education intends to consider amending regulations entitled **8 VAC 20-21, Licensure Regulations for School Personnel**. The purpose of the proposed action is to revise the regulations based on federal and state legislation as well as to address recommendations to clarify and change requirements for licensure.

The agency intends to hold a public hearing on the proposed action after publication in the *Virginia Register*.

Statutory Authority: §§ 22.1-16 and 22.1-298 of the Code of Virginia.

Public comments may be submitted until April 20, 2005.

**Contact:** Dr. Margaret N. Roberts, Office of Policy and Communications, Department of Education, P.O. Box 2120, Richmond, VA 23218-2120, telephone (804) 225-2540, FAX (804) 225-2524 or e-mail [margaret.roberts@doe.virginia.gov](mailto:margaret.roberts@doe.virginia.gov).

VA.R. Doc. No. R05-141; Filed March 1, 2005, 2:37 p.m.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Education intends to consider amending regulations entitled **8 VAC 20-520, Regulations Governing Reduction of State Aid When Length of School Term Below 180 School Days**. The purpose of the proposed action is to conform the regulations to state law. The 2004 Virginia General Assembly passed HB 575, HB 1256 and SB 452 that amended § 22.1-98 of the Code and made the changes effective from passage of the bills. HB 1256 and SB 452 clarify the schedule of makeup days and circumstances in which approval may be granted so that state basic aid funding will not be reduced because of school closings due to severe weather conditions or other emergency situations. HB 575 permits the Board of Education to waive the requirement that school divisions compensate for school closings resulting from a declared state of emergency.

The agency intends to hold a public hearing on the proposed action after publication in the *Virginia Register*.

Statutory Authority: §§ 22.1-16 and 22.1-98 of the Code of Virginia.

Public comments may be submitted until April 25, 2005.

**Contact:** Dr. Margaret N. Roberts, Office of Policy and Communications, Department of Education, P.O. Box 2120, Richmond, VA 23218-2120, telephone (804) 225-2540, FAX (804) 225-2524 or e-mail [margaret.roberts@doe.virginia.gov](mailto:margaret.roberts@doe.virginia.gov).

VA.R. Doc. No. R05-144; Filed March 1, 2005, 2:41 p.m.

#### Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Education intends to consider amending regulations entitled **8 VAC 20-131, Regulations Establishing Standards for Accrediting Public Schools in Virginia**. The purpose of the proposed action is to conduct a comprehensive review of the regulations to determine if there are changes that might be needed now that most Virginia schools are fully accredited, and the first high school class required to earn verified units of credit has graduated from high school. Section 22.1-253.13:3 of the Code of Virginia requires the Board of Education to establish standards for accreditation. The regulations were last amended in 2000. Since that time, public schools in Virginia have implemented more rigorous requirements for accountability both at the school level and the student level.

The agency intends to hold a public hearing on the proposed action after publication in the *Virginia Register*.

Statutory Authority: § 22.1-253.13:3 of the Code of Virginia.

Public comments may be submitted until April 20, 2005.

**Contact:** Anne Wescott, Assistant Superintendent, Office of Policy and Communications, Department of Education, P.O. Box 2120, Richmond, VA 23218-2120, telephone (804) 225-

#### Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Education intends to consider amending regulations entitled **8 VAC 20-541, Regulations Governing Approved Programs for Virginia Institutions of Higher Education**. The purpose of the proposed action is to include a review of endorsement programs and competencies set forth by the licensure regulations, clarify that institutions must provide evidence that demonstrates that the competencies are met, and make any needed revisions to the procedures as the review process is implemented and participating individuals and organizations provide feedback.

The agency intends to hold a public hearing on the proposed action after publication in the *Virginia Register*.

Statutory Authority: §§ 22.1-16 and 22.1-298 of the Code of Virginia.

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# Notices of Intended Regulatory Action

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Public comments may be submitted until April 25, 2005.

**Contact:** Dr. Margaret N. Roberts, Office of Policy and Communications, Department of Education, P.O. Box 2120, Richmond, VA 23218-2120, telephone (804) 225-2540, FAX (804) 225-2524 or e-mail [margaret.roberts@doe.virginia.gov](mailto:margaret.roberts@doe.virginia.gov).

VA.R. Doc. No. R05-143; Filed March 1, 2005, 2:38 p.m.

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## TITLE 9. ENVIRONMENT

### STATE WATER CONTROL BOARD

#### † Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Water Control Board intends to consider amending regulations entitled **9 VAC 25-260, Water Quality Standards**. The purpose of the proposed action is to designate two tributaries to the Pedlar River, three tributaries to the North Fork of the Buffalo River and the North Fork of the Buffalo River as exceptional state waters.

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

Statutory Authority: § 62.1-44.15 of the Code of Virginia; Clean Water Act (33 USC § 1251 et seq.); 40 CFR Part 131.

Public comments may be submitted until May 27, 2005.

**Contact:** David C. Whitehurst, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4121, FAX (804) 698-4522 or e-mail [dcwhitehurst@deq.virginia.gov](mailto:dcwhitehurst@deq.virginia.gov).

VA.R. Doc. No. R05-103; Filed March 28, 2005, 11:15 a.m.

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## TITLE 12. HEALTH

### STATE BOARD OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES

#### Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Mental Health, Mental Retardation and Substance Abuse Services Board intends to consider amending regulations entitled **12 VAC 35-115, Rules and Regulations to Assure the Rights of Individuals Receiving Services from Providers of Mental Health, Mental Retardation and Substance Abuse Services**. The purpose of the proposed action is to clarify terminology and various procedures in order to improve the human rights protections provided by the regulations. The action will also align provisions with applicable federal and state laws and

regulations, including federal regulations for health information pursuant to the Health Insurance Portability and Accountability Act of 1996.

The agency intends to hold a public hearing on the proposed action after publication in the Virginia Register.

Statutory Authority: § 37.1-84.1 of the Code of Virginia.

Public comments may be submitted until April 22, 2005.

**Contact:** Margaret Walsh, Director, Office of Human Rights, Department of Mental Health, Mental Retardation and Substance Abuse Services, Jefferson Bldg., 1220 Bank St., 13th Floor, Richmond, VA 23219, telephone 804-786-2008, FAX 804-371-2308, or e-mail [margaret.walsh@co.dmhmsas.virginia.gov](mailto:margaret.walsh@co.dmhmsas.virginia.gov).

VA.R. Doc. No. R05-146; Filed March 2, 2005, 9:52 a.m.

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## TITLE 22. SOCIAL SERVICES

### STATE BOARD OF SOCIAL SERVICES

#### † Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Social Services intends to consider amending regulations entitled **22 VAC 40-880, Child Support Enforcement Program**. The purpose of the proposed action is to update the current child support regulation impacted by 2003 and 2004 state legislation and to amplify selected sections of the existing regulation. The current regulation encompasses all functions of the child support enforcement program including application, eligibility for services, location, paternity establishment, order establishment, enforcement, collection, distribution and case closure.

The agency does not intend to hold a public hearing on the proposed regulation after publication in the Virginia Register.

Statutory Authority: §§ 63.2-200 and 63.2-217 of the Code of Virginia.

Public comments may be submitted until May 18, 2005.

**Contact:** Joseph Crane, Assistant Director, Division of Child Support Enforcement, Department of Social Services, 7 N. 8th St., Richmond, VA 23219, telephone (804) 726-7431, FAX (804) 726-7481 or e-mail [joseph.crane@dss.virginia.gov](mailto:joseph.crane@dss.virginia.gov).

VA.R. Doc. No. R05-169; Filed March 30, 2005, 9:42 a.m.

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# PROPOSED REGULATIONS

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For information concerning Proposed Regulations, see Information Page.

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## Symbol Key

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

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## TITLE 4. CONSERVATION AND NATURAL RESOURCES

### BOARD OF GAME AND INLAND FISHERIES

**REGISTRAR'S NOTICE:** The Board of Game and Inland Fisheries is exempt from the Administrative Process Act pursuant to subdivision A 3 of § 2.2-4002 of the Code of Virginia when promulgating regulations regarding the management of wildlife. The department is required by § 2.2-4031 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.

**Title of Regulation:** 4 VAC 15-40. Game: In General (amending 4 VAC 15-40-20; adding 4 VAC 15-40-21).

**Statutory Authority:** §§ 29.1-501 and 29.1-502 of the Code of Virginia.

**Public Hearing Date:** June 23, 2005 - 9 a.m.

Public comments may be submitted until June 23, 2005.

**Agency Contact:** Phil Smith, Policy Analyst and Regulatory Coordinator, Department of Game and Inland Fisheries, 4016 West Broad Street, Richmond, VA 23230, telephone (804) 367-1000, FAX (804) 367-0488, or e-mail regcomments@dgif.state.va.us.

**Public Notice:** The Board of Game and Inland Fisheries has ordered to be published, pursuant to §§ 29.1-501 and 29.1-502 of the Code of Virginia, the following proposed amendments to board regulations. A public comment period on the proposed regulation opened March 24, 2005, and remains open until June 23, 2005. 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 should be sent to Phil Smith, Policy Analyst and Regulatory Coordinator, Department of Game and Inland Fisheries, 4016 West Broad Street, Richmond, Virginia 23230, and need to be received no later than June 16, 2005, in order to be assured that the board will have the opportunity to review them before taking final action.

A public hearing on the advisability of adopting or amending and adopting the proposed regulation, or any parts thereof, will be held during a meeting of the board to take place at the Department of Game and Inland Fisheries, 4000 West Broad Street, Richmond, Virginia, beginning at 9 a.m. on Thursday, June 23, 2005, at which time any interested citizen present shall be heard. If the board is satisfied that the proposed regulation, or any parts thereof, is advisable, in the form in which published or as amended after receipt of the public's

comments, the board may adopt regulation amendments as final at the June 23 meeting. The regulation or regulation amendment adopted may be either more liberal or more restrictive than that proposed and being advertised under this notice.

#### Summary:

*The proposed amendments (i) legalize the use of a crossbow by any person in all hunting seasons in which archery equipment may be used; (ii) establish a special crossbow license for persons using a crossbow during the special archery hunting seasons, to be required in addition to the basic hunting license; and (iii) establish the fees for such special crossbow license at \$12 for a resident of Virginia and \$25 for a nonresident plus a \$.50 issuance fee.*

**4 VAC 15-40-20. Hunting with ~~crossbows~~, arrows to which any drug, chemical or toxic substance has been added or explosive-head arrows prohibited.**

~~A. Except as otherwise provided by law or regulation, it shall be unlawful to use a crossbow, arrows to which any drug, chemical or toxic substance has been added or arrows with explosive heads at any that time for the purpose of hunting wild birds or wild animals. A crossbow is defined as any bow that can be mechanically held in the drawn or cocked position.~~

~~B. Crossbows permitted for persons with permanent physical disabilities. For the purposes of this section, any person possessing a medical doctor's written statement based on a physical examination declaring that such person has a permanent physical disability that prohibits the person from holding the mass weight of a conventional bow and arrow at arm's length perpendicular to the body, or from drawing or pulling or releasing the bow string of a conventional bow, which thus prevents that person from hunting with conventional archery equipment, may hunt with a crossbow during hunting seasons under the same rules, regulations, laws, and conditions that apply to hunters using standard archery equipment. The doctor's written statement must be on a standardized form provided by the department. The doctor's written statement must be carried by the person while hunting and the statement shall be presented upon demand to any officer whose duty it is to enforce the game and inland fish laws.~~

**4 VAC 15-40-21. Special crossbow license; hunting with crossbows.**

*There shall be a license to hunt with a crossbow during the special archery seasons that shall be in addition to the license required to hunt small game. The fee for the special crossbow license shall be \$12 for a resident and \$25 for a nonresident plus a \$.50 issuance fee. The special crossbow license may be obtained from the clerk or agent of any county or city whose duty it is to sell licenses.*

VA.R. Doc. No. R05-170; Filed March 30, 2005, 11:16 a.m.

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# Proposed Regulations

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**REGISTRAR'S NOTICE:** The Board of Game and Inland Fisheries is exempt from the Administrative Process Act pursuant to § 29.1-701 E of the Code of Virginia, which provides that proposal and adoption of regulations implementing Chapter 7 of Title 29.1 shall take place as described in Article 1 (§ 29.1-500 et seq.) of Chapter 5 of Title 29.1 of the Code of Virginia. The department is required by § 2.2-4031 of the Code of Virginia to publish all proposed and final regulations.

**Title of Regulation:** 4 VAC 15-380. **Watercraft: Motorboat Numbering (readopting 4 VAC 15-380-120).**

**Statutory Authority:** §§ 29.1-501, 29.1-502, 29.1-701, 29.1-701.1, and 29.1-735 of the Code of Virginia.

**Public Hearing Date:** June 23, 2005 - 9 a.m.

Public comments may be submitted until June 23, 2005.

**Agency Contact:** Phil Smith, Policy Analyst and Regulatory Coordinator, Department of Game and Inland Fisheries, 4016 West Broad Street, Richmond, VA 23230, telephone (804) 367-1000, FAX (804) 367-0488, or e-mail regcomments@dgif.state.va.us.

**Public Notice:** The Board of Game and Inland Fisheries has ordered to be published, pursuant to §§ 29.1-501 and 29.1-502 of the Code of Virginia, the following proposed amendments to board regulations. A public comment period on the proposed regulation opened March 24, 2005, and remains open until June 23, 2005. 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 should be sent to Phil Smith, Policy Analyst and Regulatory Coordinator, Department of Game and Inland Fisheries, 4016 West Broad Street, Richmond, Virginia 23230, and need to be received no later than June 16, 2005, in order to be assured that the board will have the opportunity to review them before taking final action.

A public hearing on the advisability of adopting or amending and adopting the proposed regulation, or any parts thereof, will be held during a meeting of the board to take place at the Department of Game and Inland Fisheries, 4000 West Broad Street, Richmond, Virginia, beginning at 9 a.m. on Thursday, June 23, 2005, at which time any interested citizen present shall be heard. If the board is satisfied that the proposed regulation, or any parts thereof, is advisable, in the form in which published or as amended after receipt of the public's comments, the board may adopt regulation amendments as final at the June 23 meeting. The regulation or regulation amendment adopted may be either more liberal or more restrictive than that proposed and being advertised under this notice.

**Summary:**

*The proposed action changes the statutory authority for the establishing of watercraft registration fees, adding § 29.1-701.1 of the Code of Virginia to that authority, and removing*

*Item 392 of the 2002 Appropriation Act from it, but does not change the language of the regulation section establishing the fees.*

**4 VAC 15-380-120. Certificate of registration fees.**

The following fees shall be paid by applicants for certificates of registration:

For a motorboat under 16 feet	\$27
For a motorboat 16 feet to less than 20 feet	\$31
For a motorboat 20 feet to less than 40 feet	\$37
For a motorboat 40 feet and over	\$45
For first 10 actively registered motorboats by the same owner	\$27
For more than 10 actively registered motorboats by the same owner	\$21
For a duplicate certificate of registration and/or decal	\$9

VA.R. Doc. No. R05-171; Filed March 30, 2005, 11:15 a.m.



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# FINAL REGULATIONS

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For information concerning Final Regulations, see Information Page.

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## 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.

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## TITLE 4. CONSERVATION AND NATURAL RESOURCES

### MARINE RESOURCES COMMISSION

**REGISTRAR'S NOTICE:** The following regulation filed by the Marine Resources Commission is exempt from the Administrative Process Act in accordance with § 2.2-4006 A 12 of the Code of Virginia; however, the commission is required to publish the full text of final regulations.

**Title of Regulation:** **4 VAC 20-950. Pertaining to Black Sea Bass (amending 4 VAC 20-950-45).**

**Statutory Authority:** §§ 28.2-201 and 28.2-204.1 of the Code of Virginia.

**Effective Date:** April 1, 2005.

**Agency Contact:** Deborah Cawthon, Agency Regulatory Coordinator, Marine Resources Commission, 2600 Washington Avenue, 3rd Floor, Newport News, VA 23607, telephone (757) 247-2248, FAX (757) 247-2002 or e-mail [debbie.cawthon@mrc.virginia.gov](mailto:debbie.cawthon@mrc.virginia.gov).

**Summary:**

*The amendment establishes a year-round recreational fishing season and eliminates closed periods of September 8 through September 21 and the month of December.*

**4 VAC 20-950-45. Recreational possession limits and seasons.**

A. It shall be unlawful for any person fishing with hook and line, rod and reel, spear, gig or other recreational gear to possess more than 25 black sea bass. When fishing is from a boat or vessel where the entire catch is held in a common hold or container, the possession limit shall be for that boat or vessel and shall be equal to the number of persons on board legally eligible to fish, multiplied by 25. The captain or operator of the boat or vessel shall be responsible for that boat or vessel possession limit. Any black sea bass taken after the possession limit has been reached shall be returned to the water immediately.

B. Possession of any quantity of black sea bass that exceeds the possession limit described in subsection A of this section shall be presumed to be for commercial purposes.

C. The open recreational fishing season shall be ~~from January 4 through September 7 and from September 22 through November 30 of each year~~ *year-round*.

D. ~~It shall be unlawful to possess black sea bass in Virginia for recreational purposes from September 8 through September 21 and from December 1 through December 31 of each year.~~

VA.R. Doc. No. R05-164; Filed March 25, 2005, 12:15 p.m.

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## TITLE 6. CRIMINAL JUSTICE AND CORRECTIONS

### BOARD OF CRIMINAL JUSTICE SERVICES

**REGISTRAR'S NOTICE:** The following regulatory action is exempt from the Administrative Process Act in accordance with § 2.2-4006 A 4 a of the Code of Virginia, which excludes regulations that are necessary to conform to changes in Virginia statutory law where no agency discretion is involved. The Board of Criminal Justice Services will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision.

**Title of Regulation:** **6 VAC 20-130. Regulations Governing the Privacy and Security of Criminal History Record Information Checks for Firearm Purchases (amending 6 VAC 20-130-60).**

**Statutory Authority:** §§ 9.1-102 and 18.2-308.2:2 of the Code of Virginia.

**Effective Date:** May 18, 2005.

**Agency Contact:** Judith Kirkendall, Criminal History Records Auditor, Department of Criminal Justice Services, 805 East Broad Street, Richmond, VA 23219, telephone (804) 786-8003, FAX (804) 786-0410 or e-mail [judith.kirkendall@dcjs.virginia.gov](mailto:judith.kirkendall@dcjs.virginia.gov).

**Summary:**

*The proposed amendments are based on changes made to § 18.2-308.2:2 of the Code of Virginia by Chapter 354 of the 2004 Acts of Assembly. The amendments (i) provide that a photo-identification form issued by the United States Department of Defense is a primary form of identification; (ii) establish an exception so that a United States Department of Defense photo identification plus one secondary form of identification showing the purchaser's residence in Virginia meets the requirements related to residency for purchase of firearms; (iii) modify a list of secondary forms of identification; and (iv) provide that a person on active duty status with the Armed Forces of the United States with a permanent duty station in Virginia may use a photo identification issued by the United States Department of Defense as the primary form of identification and use as secondary identification proof of permanent duty station within Virginia signed by the station commander or duly designated representative.*

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# Final Regulations

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## 6 VAC 20-130-60. Preparing for a criminal history record check.

### A. General procedures.

1. If any firearm which a prospective purchaser intends to obtain in transfer is a firearm as defined herein, the dealer shall request that the Department of State Police conduct a criminal history record check on the purchaser. The dealer may obtain the required record check from the department for purchasers who are residents of Virginia by telephoning the department, using the provided toll-free number, and requesting the record check. For out-of-state residents who purchase rifles or shotguns, the dealer may request the record check from the department by telephone, mail or delivery. However, Virginia residents may, if they elect, request the dealer to obtain a record check by mail. The initial required steps of completion of the VFTR, obtaining consent of the purchaser, determining residency and verifying identity are common to both telephone and mail methods of obtaining the record check.

2. The dealer shall request a criminal history record check and obtain the prospective purchaser's signature on the consent portion of the form for each new transfer of a firearm or firearms to a given purchaser. One record check is sufficient for any number of firearms in a given transfer, but once a transaction has been completed, no transfer to the same purchaser shall proceed without a new record check.

3. A criminal history record check shall be conducted prior to the actual transfer of a firearm.

### B. Completing section A of the Virginia Firearms Transaction Record: Obtaining consent for a criminal history record information check for firearms purchase.

As a condition of any sale, the dealer shall advise the prospective purchaser to legibly complete and sign section A of a VFTR form.

1. The dealer shall require the prospective purchaser to complete section A of the VFTR form in the prospective purchaser's own handwriting, and without the dealer's assistance. The purchaser shall answer the questions listed and shall complete the items that establish residency and describe identity, including name, sex, height, weight, race, date of birth and place of birth.

2. If the prospective purchaser cannot read or write, section A of the VFTR form may be completed by any person other than the dealer or any employee of the dealer according to the procedures specified on the reverse side of the VFTR form.

3. The dealer shall also obtain the prospective purchaser's signature or, if he cannot read or write, his mark, following the consent paragraph at the bottom of section A, which shall certify that the information supplied by the purchaser in section A is true and correct.

### C. Completing section B of the Virginia Firearms Transaction Record: Establishing purchaser identity and residency and dealer identity.

Prior to making a request for a criminal history record information check, the dealer shall complete all of section B of the VFTR form for which the dealer is responsible. Information recorded on the VFTR form shall be sufficient to: (i) reasonably establish a prospective purchaser's identity and determine the residency of the prospective purchaser; and (ii) identify the dealer.

1. Identify prospective purchaser and determine residency. The dealer shall determine residency and verify the prospective purchaser's identity as required in section B of the VFTR, by requiring at least two forms of identification that denote the address of the prospective purchaser. Only the forms of identification listed in this subsection shall be acceptable to establish identity and residency.

a. For Virginia residents, ~~other than those basing residency upon active duty status in the Armed Forces of the United States~~, the primary form of identification shall consist of a valid photo-identification form issued by a governmental agency of the Commonwealth *or by the United States Department of Defense*. ~~The secondary form of identification shall include an address identical to that shown on the primary form of identification. Accordingly, the dealer shall require the~~ *Except where the photo identification was issued by the Department of Defense, the prospective purchaser shall furnish a primary secondary form of identification and at least one other current form of identification included in the list below that includes an address identical to that shown on the primary identification and corroborates the purchaser's identification and purchaser's residence in Virginia. A Department of Defense photo identification plus one secondary form of identification showing the purchaser's residence in Virginia meets the requirements of the exception. The following are acceptable forms of secondary identification:*

(1) Valid Virginia driver's license or photo-identification card issued by the Virginia Department of Motor Vehicles;

~~(2) A military identification card accompanied by proof that Virginia is the permanent duty station;~~

~~(3)~~ (2) Passport;

~~(4)~~ (3) Voter registration card;

~~(5)~~ (4) Evidence of paid personal property tax or real estate taxes;

~~(6)~~ (5) Automobile registration;

~~(7)~~ (6) Hunting or fishing license;

~~(8)~~ (7) Lease;

(9) (8) Utility or telephone bill;

~~(10)~~ (9) Bank check; or

~~(11)~~ (10) Other identification allowed as evidence of residency by Part 178.124 of Title 27, Code of Federal Regulations, and ATF Ruling 79-7.

If, for purposes of this chapter, a prospective purchaser's Virginia residency is based upon active duty status with the

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Armed Forces of the United States with a permanent duty station in Virginia; and the primary form of identification may consist consists of a military identification card accompanied by photo identification issued by the United States Department of Defense, the purchaser may use as a secondary identification proof of permanent duty station within Virginia signed by the station commander or duly designated representative. A secondary form of identification shall also be required, and may consist of either a valid driver's license issued by another state, or one of the items of secondary identification listed in subdivisions C 1 a (3) through (11). If such primary and secondary documentation are presented, the prospective purchaser shall not be required to present any other form of secondary identification listed in subdivisions C 1 a (1) through (10).

b. For non-Virginia residents purchasing shotguns or rifles, the dealer shall require the prospective purchaser to furnish one photo-identification form issued by a governmental agency of the person's state of residence and one other form of identification as provided in subdivision C 1 a, which corroborates the identity and residency shown on the photo-identification form.

c. The dealer will ensure that the form(s) of identification support the listing of the identifying characteristics and the resident's address as supplied by the prospective purchaser in section A of the VFTR.

d. If the dealer discovers any unexplained discrepancy between the two forms of identification (different addresses, birth dates, names), the dealer shall not request a criminal history record check until the prospective purchaser can be adequately identified with two acceptable forms of identification as required.

e. The dealer shall name and identify on the VFTR form the document(s) used to verify the prospective purchaser's identity and residence, and shall record all pertinent identifying numbers on the VFTR form.

f. While the dealer is required to collect sufficient information to establish the prospective purchaser's identity and residency from the form(s) of identification listed above, in no case is the dealer authorized to collect more information on the prospective purchaser than is reasonably required to establish identity and state of residence.

2. Identify dealer. The dealer or his employee shall note on section B of the form:

- a. The dealer's or employee's signature;
b. His position title (owner, employee);
c. The trade or corporate name and business address; and
d. The dealer's federal firearms license number.

VA.R. Doc. No. R05-157; Filed March 18, 2005, 9:33 a.m.

REGISTRAR'S NOTICE: The regulation submitted by the Virginia Racing Commission on March 31, 2003, was inadvertently omitted from publication in the Virginia Register of Regulations. The regulation as it became effective on March 31, 2003, is set out below.

The Virginia Racing Commission is exempt from the Administrative Process Act pursuant to subdivision B 23 of § 2.2-4002 of the Code of Virginia when promulgating regulations relating to the administration of medication or other substances foreign to the natural horse.

Title of Regulation: 11 VAC 10-180. Medication (amending 11 VAC 10-180-20, 11 VAC 10-180-60, 11 VAC 10-180-80 and 11 VAC 10-180-90).

Statutory Authority: § 59.1-369 of the Code of Virginia.

Effective Date: March 31, 2003.

Agency Contact: David S. Lermond, Jr., Regulatory Coordinator, Virginia Racing Commission, 10700 Horsemen's Road, New Kent, VA 23024, telephone (804) 966-7404, FAX (804) 966-7418, or e-mail david.lermond@vrc.virginia.gov.

Summary:

The amendments (i) prohibit the possession or administration of Erythropoietin or any analogous substance; (ii) provide restrictions on the use of shockwave therapy devices, including prohibition of their use fewer than 10 days before the horse is to race; (iii) prohibit the administration of any substance within three hours of the scheduled post time for the race in which the horse is entered; and (iv) restrict the permissible levels of carbon dioxide concentrations in post-race testing.

11 VAC 10-180-20. Generally.

A. Prohibited substance. No trainer shall allow a horse to appear in a race, including qualifying races or official timed workouts, when the horse contains in its system any prohibited substance, as determined by testing of blood, saliva or urine, or any other reasonable means.

B. Veterinarian treatment reports. Practicing veterinarians at the horse racing facility shall submit daily treatment reports at a time and in a manner prescribed by the commission veterinarian. The report shall contain the veterinarian's name, the name of the trainer of the horse, the name of the horse, all medications administered to the horse, diagnostic and therapeutic procedures performed, and the time and date of the administration or treatment.

1. Trainers of horses not stabled at the horse racing facility shall be responsible for submitting retroactive treatment reports to the commission veterinarian for any horse programmed to race. At a time prescribed by the commission veterinarian, the trainer shall submit to the commission veterinarian a retroactive treatment report for the seven previous days for any horse programmed to race.

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Reports may be electronically submitted or hand delivered to the commission veterinarian's office.

2. If a treatment report has not been received by the commission veterinarian prior to the start of a horse's race, the stewards, in their discretion, may exclude the introduction of such a treatment report into any subsequent hearing.

C. Race day prohibitions. No person shall administer any substance to a horse on race day other than those substances expressly permitted by the commission. Substances permitted by the commission shall be nonperformance altering and administered only for the benefit and welfare of the horse.

D. Tubing of horses prohibited. The tubing or dosing of any horse for any reason on race day is prohibited, unless administered for medical emergency purposes by a licensed veterinarian in which case the horse shall be scratched. The practice of administration of any substance, via a tube or dose syringe, into a horse's stomach on race day is considered a violation of this chapter.

1. Using or possessing the ingredients or the paraphernalia associated with forced feeding to a horse of a combination of baking soda and sugar or a form of sugar, or administering a substance by tubing on race day shall be considered a violation of this chapter.

2. Under the provisions of subsection B of this section, endoscopic examination shall not be considered a violation of this chapter.

E. Possession of needles prohibited. No person, except a veterinarian holding a valid veterinarian's permit or an assistant under his immediate supervision, shall have in his possession within the enclosure any hypodermic syringe or needle or any instrument capable of being used for the injection of any substance.

F. Possession of injectables prohibited. No person, except a veterinarian holding a valid veterinarian's permit or an assistant under his immediate supervision, shall have in his possession within the enclosure any injectable substance.

G. Prescription substances for animal use. No person, except a veterinarian holding a valid veterinarian's permit or an assistant under his immediate supervision, shall have in his possession within the enclosure of a horse racing facility any prescription substance for animal use unless:

1. The person actually possesses, within the enclosure of the horse racing facility, documentary evidence that a prescription has been issued to him for the substance by a licensed veterinarian;

2. The prescription substance is labelled with a dosage for the horse or horses to be treated with the prescription substance; and

3. The horse or horses named in the prescription are then under the care and supervision of the permit holder and are then stabled within the enclosure of the horse racing facility.

H. Possession of substances. No veterinarian or permit holder shall, without good cause, possess or administer any substance to a horse stabled within the enclosure:

1. That has not been approved by the U.S. Food and Drug Administration's Center for Veterinary Medicine, or the U.S. Department of Agriculture's Center for Veterinary Biologics; or

2. That is on the U.S. Drug Enforcement Agency's Schedule I or Schedule II of controlled substances as prepared by the Attorney General of the United States pursuant to 21 USC §§ 811 and 812.

I. Human use of needles and substances. Notwithstanding these regulations, a permit holder or veterinarian may possess within the enclosure of a horse racing facility a substance for use on his person, providing the permit holder or veterinarian possesses documentary evidence that a valid medical prescription has been issued to the permit holder or veterinarian.

Notwithstanding these regulations, a permit holder or veterinarian may possess within the enclosure of a horse racing facility a hypodermic syringe or needle for the purpose of administering to himself a substance, provided that the permit holder has documentary evidence that the substance can only be administered by injection and that the substance to be administered by injection has been prescribed for him.

J. *Erythropoietin and any analogous substances. The possession or administration of Erythropoietin (Epogen) or any analogous substance that increases oxygen-carrying capacity of the blood is prohibited.*

K. *Shockwave therapy device. The use of a shockwave therapy device is prohibited unless:*

1. *The shockwave therapy device is registered with the commission veterinarian;*

2. *The shockwave therapy device is used by a veterinarian who is a permit holder; and*

3. *Each use of the shockwave therapy device is reported to the commission veterinarian on the treatment report.*

*In no case shall a shockwave therapy device be used on a racehorse fewer than 10 days before the racehorse is to race.*

L. *Notwithstanding any other provision in this chapter, no substance of any kind may be administered to a horse within three hours of the scheduled post time for the race in which the horse is entered.*

## **11 VAC 10-180-60. Medications and substances.**

A. Disciplinary actions. The stewards may, at their discretion, refer to the following guidelines in imposing a disciplinary action upon a permit holder for a positive test result for one of the three classifications listed in subsection B of this section. However, the stewards may, at their discretion and in consideration of the circumstances, impose a greater or lesser disciplinary action. The guidelines are:

1. Class 1. Six-month to five-year suspension and at least \$1,500 fine and loss of purse.

2. Class 2. Minimum of 15-day suspension and/or fine and loss of purse.

3. Class 3. Fine, suspension and loss of purse are discretionary, relating to the specific circumstances of the case and any mitigating circumstances.

4. For cimetidine, dicoumerol, griseofulvin, isoxsuprine, ranitidine, sulfa and tetramisole--first offense: \$500 fine; second offense: 15-day suspension and disqualification.

5. For procaine, o-desmethyl pyrilamine--if the stewards determine that the drug was administered more than 48 hours before race day, first offense: \$500 fine; second offense: 15-day suspension and disqualification.

6. For procaine, o-desmethyl pyrilamine--if the stewards determine that the drug was administered within 48 hours of race day, first offense: 15-day suspension and disqualification; second offense: more stringent disciplinary action.

7. For methylprednisolone--first offense, if found in urine only: \$250 fine, or if found in urine and blood: 15-day suspension and disqualification; second offense: 15-day suspension and disqualification.

8. For nonsteroidal anti-inflammatory substances--first offense: \$500 fine and disqualification; second offense: 15-day suspension and disqualification; and third offense: \$500 fine, 15-day suspension and disqualification.

9. For two or more nonsteroidal anti-inflammatory substances, or a nonsteroidal anti-inflammatory substance and a corticosteroid substance--60-day suspension, disqualification, and a fine.

B. Classes of prohibited substances. The classes of prohibited substances are:

1. Class 1. Substances found in this class have no generally accepted medical use in the racehorse and have a very high pharmacological potential for altering the performance of a racehorse. These substances should never be found in the horse's system through post-race testing or in the possession of any holder of a permit within the enclosure of a horse racing facility licensed by the commission. Such substances are potent stimulants of the nervous system including opiates, opium derivatives, synthetic opioids, psychoactive drugs, amphetamines and U.S. Drug Enforcement Agency (DEA) Scheduled I and II controlled substances, and substances that are products intended to alter consciousness or the psychic state of humans.

Some substances in this class, such as injectable local anesthetics, have legitimate uses in equine medicine, but should not be found in a racehorse through post-race testing. The following groups of substances in this class are:

- a. Opiate partial agonists or agonist-antagonists;
- b. Nonopiate psychotropic drugs, which may have stimulant, depressant, analgesic or neuroleptic effects;
- c. Miscellaneous substances that might have a stimulant effect on the central nervous system (CNS);
- d. Drugs with prominent CNS depressant action;
- e. Antidepressant and antipsychotic drugs, with or without prominent CNS stimulatory or depressant effects;

f. Muscle-blocking substances that have a direct neuromuscular blocking action;

g. Local anesthetics which have a reasonable potential for use as nerve-blocking agents (except procaine); ~~and~~

h. Other biological substances or chemicals that may be used as nerve-blocking agents; ; *and*

i. *Erythropoietin (Epogen)*.

2. Class 2. Substances found in this class have an accepted therapeutic use in the horse, but have a potential to enhance performance, and their presence in the horse's system is prohibited on race day. The following groups of substances in this class are:

a. Substances affecting the autonomic nervous system that do not have prominent CNS effects, but that do have prominent cardiovascular and respiratory system effects (bronchodilators are included in this class);

b. Local anesthetics that have nerve-blocking potential but also a high potential for producing urine residue levels from a method of use not related to the anesthetic effect of the substance (procaine);

c. Miscellaneous substances with mild sedative action, such as the sleep-inducing antihistamines;

d. Primary vasodilating/hypotensive agents;

e. Potent diuretics affecting renal function and body fluid composition;

f. Nonopiate substances that have a mild central analgesic effect;

g. Substances affecting the autonomic nervous system that do not have prominent CNS, cardiovascular or respiratory effects:

(1) Substances used solely as topical vasoconstrictors or decongestants;

(2) Substances used as gastrointestinal antispasmodics;

(3) Substances used to void the urinary bladder; and

(4) Substances with a major effect on CNS vasculature or smooth muscle of visceral organs.

h. Antihistamines that do not have a significant CNS depressant effect (this does not include H1 blocking agents).

3. Class 3. Substances found in this class are therapeutic medications that are considered nonperformance enhancing, but may interfere with testing. The following groups of substances in this class are:

a. Mineral corticoid substances;

b. Skeletal muscle relaxants;

c. Anti-inflammatory substances that may reduce pains as a consequence of their anti-inflammatory actions, which include:

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- (1) Nonsteroidal anti-inflammatory drugs (NSAIDs)--aspirin-like substances;
  - (2) Corticosteroids (glucocorticoids); and
  - (3) Miscellaneous anti-inflammatory agents.
- d. Anabolic or androgenic steroids, or both, and other substances;
- e. Less potent diuretics;
- f. Cardiac glycosides and antiarrhythmics including:
- (1) Cardiac glycosides;
  - (2) Antirhythmic agents (exclusive of lidocaine, bretilium and propranolol); and
- g. Topical anesthetics agents not available in injectable formulations;
- h. Antidiarrheal agents; and
- i. Miscellaneous substances including:
- (1) Expectorants with little or no other pharmacologic action;
  - (2) Stomachics; and
  - (3) Mucolytic agents.

Newly developed substances not previously classified. For the purposes of a stewards' determination if a chemical identification constitutes a positive finding, and for determining the subsequent disciplinary action, newly developed substances, not previously classified, may be considered Class 1 substances, until a duly recognized scientific body or regulatory racing authority determines the substance should be classified otherwise.

## 11 VAC 10-180-80. Permitted race day substances.

A. Generally. The following substances have been determined to be nonperformance altering and administered only for the benefit and welfare of the horse. These substances may be administered to a horse on race day by a permit holder when administered under veterinary supervision within the limits of this chapter:

Intravenous commercially available electrolyte solutions including calcium and magnesium, but not including bicarbonate, providing such administration is a minimum of three hours prior to the post time for that horse's race.

B. Bleeder medications. By this regulation, the Virginia Racing Commission specifically permits the use of bleeder medications in only those horses that:

- 1. Have been placed on the bleeders list by the stewards; or
- 2. Have raced on furosemide in another jurisdiction and on the last previous start in a pari-mutuel race, as indicated by the past performance chart or by verification by the commission veterinarian from that racing jurisdiction, or both.

C. Furosemide.

1. Procedures for usage. The use of furosemide shall be permitted by the commission only in horses eligible to receive bleeder medications and under the following circumstances:

a. Furosemide shall be administered intravenously, by a veterinarian who is a permit holder, ~~no less than three hours prior to the scheduled post time of the race in which the horse is entered to start.~~

b. The furosemide dosage administered shall not exceed 10 ml (500 mg) and shall not be less than 3 ml (150 mg). Dosage levels between each race shall not vary by more than 3 ml (150 mg).

c. The veterinarian, who is a permit holder, administering the furosemide shall deliver to the commission's office at the horse racing facility no later than two hours prior to post time for the race in which the horse is entered a furosemide treatment form containing the following:

- (1) The trainer's name, date, horse's name, and horse's identification number;
- (2) The time furosemide was administered to the horse;
- (3) The prior dosage level of furosemide administered to the horse and the dosage level administered for this race;
- (4) The barn and stall number; and
- (5) The signature of the private practitioner, who is a permit holder.

2. Furosemide quantification. Furosemide levels must not exceed 100 nanograms per milliliter (ng/ml) of plasma in horses administered furosemide and with urine specific gravity measuring 1.010 or lower. Furosemide must be present in the plasma of any horse racing in Virginia which has been designated in the program as being treated with bleeder medications.

D. Disciplinary actions.

1. For the first violation of the regulation pertaining to furosemide quantification (subdivision B 2 of this section), the stewards shall issue a written reprimand to the trainer.

2. For the second violation of the regulation pertaining to furosemide quantification (subdivision B 2 of this section), the stewards shall fine the trainer an amount not to exceed \$500.

3. For the third violation of the regulation pertaining to furosemide quantification (subdivision B 2 of this section) within a 12-month period, the stewards shall suspend or fine the trainer or both.

4. The stewards, in their discretion, may impose other more stringent disciplinary actions against trainers or other permit holders who violate the provisions under which furosemide is permitted by the commission, regardless of whether or not the same horse is involved.

E. Adjunct bleeder medications. The Virginia Racing Commission permits the use of adjunct bleeder medications only in horses qualified to receive bleeder medications as

provided for in this chapter. Such medications, if administered to a horse, must be administered concurrently with furosemide. Permissible adjunct bleeder medications and maximum dosages are:

1. Conjugated estrogens, not to exceed 25 milligrams.
2. Aminocaproic acid, not to exceed 2.5 grams.
3. Tranexamic acid, not to exceed 1 gram.
4. Carbazochrome, not to exceed 5 milliliters.

F. Program designation. The licensee shall be responsible for designating in the program those horses racing on furosemide. The designation shall also include those horses making their first start while racing on furosemide. In the event there is an error, the licensee shall be responsible for making an announcement to be made over the public address system and taking other means to correct the information published in the program.

G. Discontinue use of furosemide. A trainer or owner may discontinue the administration of furosemide to his horse only with the permission of the stewards and prior to entering the horse in a race.

**11 VAC 10-180-90. Bicarbonate testing.**

A. Generally. By this regulation, the Virginia Racing Commission prohibits the administration to a horse on race day of any bicarbonate-containing substance or alkalinizing substance that effectively alters the serum or plasma pH or concentration of bicarbonates or carbon dioxide in the horse.

B. Test values. For a test sample collected from a horse at least one hour following a race in the test barn, the serum total carbon dioxide concentration shall not exceed 37.0 millimoles per liter ~~for horses not administered furosemide prior to racing or shall not exceed 39.0 millimoles per liter for horses administered furosemide prior to racing.~~ A serum total carbon dioxide level exceeding ~~these values~~ *this value* constitutes a positive test.

C. Testing procedure. The stewards or commission veterinarian may, at their discretion and at any time, order the collection of test samples from any horses present within the enclosure for determination of serum or plasma pH or concentration of bicarbonate, carbon dioxide, or electrolytes. A sample consisting of at least two blood tubes shall be taken from the horse at least one hour after racing to determine the serum total carbon dioxide concentration. If the chief racing chemist finds that the total carbon dioxide levels in the tubes exceed the standard test values of 37.0 ~~and 39.0~~ millimoles per liter, then he shall inform the stewards of the positive test results.

D. Split samples prohibited. The procedures for split sample testing shall not apply to bicarbonate testing procedures.

VA.R. Doc. No. R03-159; Filed March 31, 2003, 2:33 p.m.

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**REGISTRAR'S NOTICE:** The Virginia Racing Commission is exempt from the Administrative Process Act pursuant to subdivision B 23 of § 2.2-4002 of the Code of Virginia when promulgating regulations relating to the administration of medication or other substances foreign to the natural horse.

Title of Regulation: **11 VAC 10-180. Medication (amending 11 VAC 10-180-10, 11 VAC 10-180-20, 11 VAC 10-180-60 through 11 VAC 10-180-90; adding 11 VAC 10-180-85, 11 VAC 10-180-100, and 11 VAC 10-180-110; repealing 11 VAC 10-180-30, 11 VAC 10-180-40, and 11 VAC 10-180-50).**

Statutory Authority: § 59.1-369 of the Code of Virginia.

Effective Date: May 18, 2005.

Agency Contact: David S. Lermond, Jr., Regulatory Coordinator, Virginia Racing Commission, 10700 Horsemen's Road, New Kent, VA 23024, telephone (804) 966-7404, FAX (804) 966-7418 or e-mail david.lermond@vrc.virginia.gov.

Summary:

*The Virginia Racing Commission is adopting the uniform medication rules as recommended by the Mid-Atlantic Medication Policy, which closely resembles the model rules policy established by the Racing Medication and Testing Consortium. One objective of the rule changes is to make the medication rules uniform throughout the Mid-Atlantic region as Colonial Downs relies on horses coming from other states in this region to race in Virginia. The primary amendments provide for the institution of prerace testing for excessive bicarbonate levels and revise the trainer penalties for such offenses.*

**11 VAC 10-180-10. Definitions.**

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

"Bleeder" means a horse ~~which~~ *that* has been diagnosed as suffering from exercise-induced pulmonary hemorrhage based on external or endoscopic examination by the commission veterinarian, ~~licensee's veterinarian or private practitioner a practicing veterinarian~~ who is a permit holder.

"Bleeder list" means a tabulation of all bleeders to be maintained by the stewards.

"Commission" means the Virginia Racing Commission.

"Controlled substance" means a drug, substance or immediate precursor in Schedules I through VI of the Virginia Drug Control Act (§ 54.1-3400 et seq. of the Code of Virginia) or any substance included in the five classification schedules of the U.S. Uniform Controlled Substances Act (21 USC § 301 et seq.).

*"Furosemide list" means a tabulation of horses permitted to use the medication of furosemide on race day.*

"Injectable substance" means a liquid or solid substance that may require the addition of a liquid via a needle and syringe to

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change it from a solid into a liquid, contained in a vial that can be accessed and administered only via a needle and syringe.

"Licensed veterinarian" means a veterinarian who holds a valid license to practice veterinary medicine and surgery under the applicable laws of the jurisdiction in which such person's practice is principally conducted.

"Milkshaking" or "bicarbonate loading" means a bicarbonate or ~~alkaline~~ *other alkalinizing* substance, administered to a horse ~~by any means possible~~ that elevates the horse's bicarbonate level or pH level above those existing naturally in the untreated horse at normal physiological concentrations as determined by the commission, *regardless of the means of administration*.

"Permitted race day substances" means only substances that are ~~not performance altering and are~~ administered solely for the benefit and welfare of the horse, *nonperformance altering, of no danger to riders/drivers, and unlikely to interfere with the detection of prohibited substances*.

"Prescription substance" means any substance that is administered or dispensed by or on the order of a licensed veterinarian for the purpose of medical treatment of an animal patient when a bona fide doctor-patient relationship has been established.

"Primary laboratory" means a facility designated by the commission for the testing of test samples.

"Prohibited substance" means any drug, medication or chemical foreign to the natural horse, whether natural or synthetic, or a metabolite or analog thereof, the use of which is not expressly permitted by the regulations of the commission.

"Race day" means the ~~24-hour period between midnight before a race and~~ post-time for the race in which the horse is entered to start.

"Reference laboratory" means a facility designated by the commission for the testing of split samples.

"Substance" means any drug, medication or chemical foreign to the natural horse or human being, whether natural or synthetic, or a metabolite or analog thereof.

"Test sample" means any sample of blood, urine, saliva or tissue obtained from a horse or person for the purpose of laboratory testing for the presence of substances.

"Tubing" means the administration to a horse of any substance via a naso-gastric tube.

## **11 VAC 10-180-20. Generally.**

A. Prohibited substance. No trainer shall allow a horse to appear in a race, including qualifying races or official timed workouts, when the horse contains in its system any prohibited substance, as determined by testing of blood, saliva or urine, or any other reasonable means.

*B. Race day prohibitions. No person shall administer any substance to a horse on race day other than those substances expressly permitted by the commission. Substances permitted by the commission shall be administered solely for the benefit and welfare of the horse, nonperformance altering, of no*

*danger to riders/drivers, and unlikely to interfere with the detection of prohibited substances.*

~~B-~~ C. Veterinarian treatment reports. Practicing veterinarians at the horse racing facility shall submit daily treatment reports at a time and in a manner prescribed by the commission veterinarian. The report shall contain the veterinarian's name, the name of the trainer of the horse, the name of the horse, all medications administered to the horse, diagnostic and therapeutic procedures performed, and the time and date of the administration or treatment.

1. Trainers of horses not stabled at the horse racing facility shall be responsible for submitting retroactive treatment reports to the commission veterinarian for any horse programmed to race. At a time prescribed by the commission veterinarian, the trainer shall submit to the commission veterinarian a retroactive treatment report for the seven previous days for any horse programmed to race. Reports may be electronically submitted or hand delivered to the commission veterinarian's office.

2. If a treatment report has not been received by the commission veterinarian prior to the start of a horse's race, the stewards, in their discretion, may exclude the introduction of such a treatment report into any subsequent hearing.

~~C. Race day prohibitions. No person shall administer any substance to a horse on race day other than those substances expressly permitted by the commission. Substances permitted by the commission shall be nonperformance altering and administered only for the benefit and welfare of the horse.~~

D. Tubing of horses prohibited. The tubing or dosing of any horse for any reason on race day is prohibited, unless administered for medical emergency purposes by a licensed veterinarian in which case the horse shall be scratched. The practice of administration of any substance, via a tube or dose syringe, into a horse's stomach on race day is considered a violation of this chapter.

1. Using or possessing the ingredients or the paraphernalia associated with forced feeding to a horse of ~~a combination of baking soda and sugar~~ *any alkalinizing agent with or without a concentrated form of sugar carbohydrate*, or administering ~~a~~ *any* substance by tubing ~~or dose syringe~~ on race day shall be considered a violation of this chapter.

2. Under the provisions of *this* subsection ~~B of this section~~, endoscopic examination shall not be considered a violation of this chapter.

E. Possession of needles prohibited. No person, except a veterinarian holding a valid veterinarian's permit or an assistant under his immediate supervision, shall have in his possession within the enclosure any hypodermic syringe or needle or any instrument capable of being used for the injection of any substance.

F. Possession of injectables prohibited. No person, except a veterinarian holding a valid veterinarian's permit or an assistant under his immediate supervision, shall have in his possession within the enclosure any injectable substance.



G. Prescription substances for animal use. No person, except a veterinarian holding a valid veterinarian's permit or an assistant under his immediate supervision, shall have in his possession within the enclosure of a horse racing facility any prescription substance for animal use unless:

1. The person actually possesses, within the enclosure of the horse racing facility, documentary evidence that a prescription has been issued to him for the substance by a licensed veterinarian;
2. The prescription substance is labelled with a dosage for the horse or horses to be treated with the prescription substance; and
3. The horse or horses named in the prescription are then under the care and supervision of the permit holder and are then stabled within the enclosure of the horse racing facility.

H. Possession of substances. No veterinarian or permit holder shall, without good cause, possess or administer any substance to a horse stabled within the enclosure:

1. That has not been approved by the U.S. Food and Drug Administration's Center for Veterinary Medicine Administration (FDA) for any use (human or animal), or the U.S. Department of Agriculture's Center for Veterinary Biologics; or
2. That is on the U.S. Drug Enforcement Agency's Schedule I or Schedule II of controlled substances as prepared by the Attorney General of the United States pursuant to 21 USC §§ 811 and 812.

I. Human use of needles and substances. Notwithstanding these regulations, a permit holder or veterinarian may possess within the enclosure of a horse racing facility a substance for use on his person, providing the permit holder or veterinarian possesses documentary evidence that a valid medical prescription has been issued to the permit holder or veterinarian.

Notwithstanding these regulations, a permit holder or veterinarian may possess within the enclosure of a horse racing facility a hypodermic syringe or needle for the purpose of administering to himself a substance, provided that the permit holder has documentary evidence that the substance can only be administered by injection and that the substance to be administered by injection has been prescribed for him.

J. Erythropoietin, *Darbepoietin*, *Oxyglobin*, *Hemopure*, and any analogous substances. The possession or administration of Erythropoietin (Epogen), *Darbepoietin*, *Oxyglobin*, *Hemopure*, or any analogous substance that increases oxygen-carrying capacity of the blood is prohibited. *Furthermore, should the analysis of a test sample detect the presence of antibodies of Erythropoietin or Darbepoietin or any analogous substance in the horse's blood that indicates a history of use of these substances, the horse shall be prohibited from racing and placed on the veterinarian's list until the horse tests negative for the presence of such antibodies.*

K. *Extracorporeal shockwave therapy device or radial pulse wave therapy.* The use of a *an extracorporeal shockwave*

*therapy device or radial pulse wave therapy device* is prohibited unless:

1. The ~~shockwave~~ therapy device is registered with the commission veterinarian;
2. The ~~shockwave~~ therapy device is used by a veterinarian who is a permit holder; and
3. Each use of the ~~shockwave~~ therapy device is reported to the commission veterinarian on the treatment report.

In no case shall a shockwave therapy device *or radial pulse wave therapy device* be used on a racehorse fewer than 10 days before the ~~racehorse~~ horse is to race.

L. Notwithstanding any other provision in this chapter, no substance of any kind may be administered to a horse within three hours of the scheduled post time for the race in which the horse is entered. *To ensure uniform supervision and conformity to this regulation, the trainer shall have each horse programmed to race stabled in its assigned stall within the enclosure of the horse race facility no later than four hours prior to post time for the respective race.*

## **11 VAC 10-180-30. Bleeders. (Repealed.)**

~~A. Examination of bleeders. A horse which is alleged to have bled in Virginia must be physically examined by the commission veterinarian, licensee's veterinarian or private practitioner who is a permit holder in order to confirm the horse's inclusion on the bleeder list. The veterinarians may conclude a horse is a bleeder under the following circumstances:~~

~~1. If the examination takes place immediately following the race or exercise and before the horse leaves the racing surface, a veterinarian may conclude the horse is a bleeder and an endoscopic examination is not required for inclusion on the bleeder list; or~~

~~2. If the examination takes place after the horse leaves the racing surface but within 90 minutes following the finish of a race or exercise in which the horse participated, a veterinarian shall require an endoscopic examination for inclusion on the bleeder list.~~

~~B. Confirmation of a bleeder. The commission veterinarian, licensee's veterinarian or private practitioner who is a permit holder, shall decide, based upon his experience and professional training, whether the horse suffers from exercise-induced pulmonary hemorrhage and should be placed on the bleeder list. The confirmation of a bleeder shall be certified in writing by the commission veterinarian, licensee's veterinarian or private practitioner who is a permit holder, and the horse shall be placed on the bleeder list. The confirmation of a bleeder shall be filed with the commission within three days of the confirmation. Upon request, a copy of the certification shall be provided to the owner of the horse or his agent.~~

~~C. Posting of bleeder list. The bleeder list shall be maintained by the stewards, with the assistance of the commission veterinarian, and shall be made available upon request. No horse shall be removed from the bleeder list without the approval of the stewards.~~

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D. Recovery period. If it is determined that a horse has bled as determined by this chapter, the horse shall be placed on the bleeders list and may not be permitted to race for at least 10 days. If a horse is determined to have bled within 365 days of the first occurrence, the horse may not race for the following periods of time:

1. 30 days after the first reoccurrence;
2. 90 days after the second reoccurrence; and
3. The horse shall be barred from racing forever at race meetings licensed by the commission after the third reoccurrence.

For the purpose of counting the number of days a horse is not permitted to race in meetings licensed by the commission, the day the horse bled is the first day of the recovery period, and the horse shall be permitted to race in meetings licensed by the commission when the last day of the recovery period under this chapter has expired.

E. Bleeders from other jurisdictions. The commission veterinarian may designate a horse as a bleeder from another jurisdiction based upon information received from that jurisdiction confirming that the horse is a bleeder and that the requirements for inclusion on the bleeder list in Virginia have been satisfied.

## 11 VAC 10-180-40. Collection of samples. (Repealed.)

A. Test barn. Test samples shall be collected in the test barn under the supervision of the commission veterinarian or his designee. The commission veterinarian may, at his discretion, permit test samples to be collected in the horse's stall or any other location he deems appropriate. Under these circumstances, the commission veterinarian shall inform the stewards of his decision.

B. Horses to be tested. The stewards or commission veterinarian may, at any time, order the taking of test samples from any horse stabled within the enclosure of the horse racing facility, prior to racing or after racing, including qualifying races and official timed workouts for the stewards or commission veterinarian. However, the stewards shall designate at least one horse from each race for the collection of test samples.

C. Collection procedure.

1. The trainer or a permit holder designated by the trainer shall accompany a horse sent to the test barn and witness the collection and splitting of the samples. The trainer or a permit holder designated by the trainer shall cooperate with the commission veterinarian and the commission's veterinary technicians in the performance of their duties. The trainer or a permit holder designated by the trainer must remain with the horse until the horse is released from the test barn.
2. Horses, from which samples are to be collected, shall be escorted, following the race, directly to the test barn by the commission's veterinary technicians and the horses shall remain in the test barn until released by the commission veterinarian.

3. Stable equipment, other than that which is necessary for washing and cooling out of a horse, is prohibited in the test barn. A private practitioner may attend a horse in the test barn only in the presence of the commission veterinarian or the commission's veterinary technicians.

4. During the collection of test samples, the owner, trainer or an assistant designated by the owner or trainer, shall be present and witness the collection of the test sample, the splitting of the sample and sealing of containers. In the case of a claimed horse, the owner or trainer, or an assistant designated by the owner or trainer in whose name the horse started, shall be present to witness the collection of the test samples.

5. The test and split samples collected from a horse shall have identification tags affixed. One portion of the tag, bearing a printed identification number, shall remain with the sealed test and split samples, and the other portion of the tag bearing the same printed identification numbers shall be detached in the presence of the witness. The commission veterinarian or his designee shall on the detached portion of the tags identify the horse from which the test and split samples were collected, the race and date, and other information deemed appropriate. The detached portion of the tag shall be witnessed by the trainer or a permit holder designated by the trainer and shall be retained by the commission veterinarian for safe keeping.

6. A horse's identity shall be confirmed by examining its lip tattoo number, or for a Standardbred, its freeze brand number. A horse that has not been lip tattooed, or a Standardbred that has not been freeze branded shall be reported immediately to the stewards.

7. If, after a horse remains for a reasonable time in the test barn, a test sample of urine cannot be collected from the horse, the commission veterinarian may, at his discretion, collect a test sample of blood or permit the horse to be returned to its barn where a test sample may be collected under the supervision of the commission veterinarian or the commission's veterinary technicians.

## 11 VAC 10-180-50. Laboratory findings and reports. (Repealed.)

A. Primary testing laboratory. The commission shall designate a primary testing laboratory for the analysis of test samples collected under the supervision of the commission veterinarian. The commission shall designate a chief racing chemist within the primary testing laboratory who shall have the authority to report his findings to the executive secretary of the commission, the stewards and the commission veterinarian.

B. Reference laboratories. The commission shall designate one or more laboratories, other than the primary testing laboratory, as reference laboratories. These laboratories will conduct confirmatory analysis of split samples. Any reference laboratory must be willing to accept split samples for confirmatory testing. Any reference laboratory shall send results to both the person requesting the testing and the commission.

~~C. Chief racing chemist's responsibilities. The chief racing chemist shall be responsible for safeguarding and analyzing the test samples delivered to the primary testing laboratory. It shall be the chief racing chemist's responsibility to maintain proper equipment, adequate staffing and acceptable procedures to thoroughly and accurately analyze test samples submitted to the primary testing laboratory.~~

~~D. Reporting procedures. The chief racing chemist shall submit to the executive secretary of the commission, the stewards and the commission veterinarian a written report as to each test sample analyzed, indicating by identification tag number, whether the test sample was negative or there was a chemical identification.~~

~~E. Chemical identifications. If the chief racing chemist determines that there is present in the test sample a substance or metabolites of a substance foreign to the natural horse, except those specifically permitted by the regulations of the commission, he shall submit a report of chemical identification to the executive secretary of the commission, the stewards and the commission veterinarian. In a report of chemical identification, the chief racing chemist shall submit evidence acceptable in the scientific community and admissible in court in support of his determination.~~

~~F. Review of chemical identifications. Upon receipt of a report of a chemical identification from the chief racing chemist, the stewards shall conduct a review of the chemical identification which shall include but not be limited to the chief racing chemist and the commission veterinarian. During the review, the following procedures shall apply:~~

- ~~1. All references to the report of a chemical identification shall be only by the identification tag number of the sample collected from the horse;~~
- ~~2. The chief racing chemist shall submit his written report of the chemical identification and the evidence supporting his finding;~~
- ~~3. The commission veterinarian shall submit a written statement to the stewards including but not limited to the classification of the substance and its probable effect on a racehorse;~~
- ~~4. The stewards may ask questions at any time and request further documentation as they deem necessary;~~
- ~~5. If the chemical identification involves a Class 1 or Class 2 substance, as specified by this regulation, then the stewards shall determine that the chemical identification constitutes a violation of the regulations of the commission and it is deemed a positive test result;~~
- ~~6. If the chemical identification and quantification involves a Class 2 or Class 3 substance, as specified by this regulation, then the stewards shall determine whether the chemical identification does or does not constitute a violation of the regulations of the commission and whether it should be deemed a positive test result;~~
- ~~7. In the event of a positive test result, the stewards shall notify the trainer of the horse of his right to send the split sample collected from the horse to one of the reference~~

~~laboratories, designated by the commission, for confirmatory testing;~~

~~8. The stewards shall take no disciplinary action against any permit holder until the results of confirmatory testing are received, and the findings shall be a part of the record of any subsequent hearing; and~~

~~9. The chief racing chemist's report of a chemical identification, the commission veterinarian's written statement, the results of confirmatory testing and any other documentation submitted to the stewards shall become part of the record of any subsequent proceedings.~~

~~G. Barred from racing. No horse from which a positive test sample was collected shall be permitted to race until the stewards have made a final determination in the matter. Such a horse shall not be immune from resulting disciplinary action by the stewards or the commission.~~

~~H. Frozen samples. Unconsumed portions of all test samples tested by the primary testing laboratory will be maintained in a frozen state until cleared by the chief racing chemist and permission for their disposal is obtained from the Senior Commonwealth Steward.~~

~~I. Split samples. The commission veterinarian or his designee shall determine a minimum test sample requirement for the primary testing laboratory. If the test sample collected is less than the minimum requirement, then the entire test sample shall be sent to the primary laboratory.~~

~~If the sample collected is greater than the minimum sample requirement but less than twice that amount, the portion of the test sample that is greater than the minimum test sample requirement shall be secured as the split sample.~~

~~If the test sample collected is greater than twice the minimum test sample requirement, a portion of the sample approximately equal to the test sample shipped to the primary testing laboratory shall be secured as the split sample.~~

~~J. Storage of split samples. Split samples shall be stored in secured location inside a locked freezer in accordance with the following procedures:~~

- ~~1. Split samples shall be secured in the test barn in the same manner as the portion of the test sample acquired for shipment to the primary laboratory until such time as test samples are packed and secured for shipment to the primary laboratory.~~
- ~~2. Upon shipment of the test samples to the primary laboratory, the split samples shall be transferred to the locked freezer by the commission veterinarian who shall be responsible for securing possession of the keys.~~
- ~~3. The freezer for storage of split samples shall be opened only for depositing or removing split samples, for inventory, or for checking the condition of split samples.~~
- ~~4. Whenever the freezer used for storage of split samples is opened, it shall be attended by the commission veterinarian or his designee and a representative of the horsemen if the respective horsemen's association has provided a representative. In the case that the split samples from a race must be secured in the freezer and no horsemen's~~

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~~representative is present, the commission veterinarian or his designee shall be in attendance.~~

~~5. A log shall be maintained each time the freezer used for storage of split samples is opened to specify each person in attendance, the purpose for opening the freezer, identification of split samples deposited or removed, the date and time the freezer was opened, and the time the freezer was locked.~~

~~6. Any evidence of a malfunction of the freezer used for storage of split samples or evidence that split samples are not in a frozen condition shall be documented in the log and immediately reported to the stewards.~~

~~K. Shipment of split samples. The trainer or owner of the horse shall have 48 hours from receipt of notice of a positive test result to request that the split sample be shipped to one of the reference laboratories designated by the commission and the split sample shall be shipped to the requested reference laboratory. The cost of shipment and additional testing shall be paid by the permit holder requesting the testing of the split sample.~~

~~L. Chain of custody form. The commission veterinarian, or his designee, shall be responsible for the completion of a chain of custody verification form that shall provide a place for recording the following information:~~

- ~~1. Date and time the split sample is removed from the freezer;~~
- ~~2. The test sample number;~~
- ~~3. The address of the reference laboratory;~~
- ~~4. The name and address where the split sample package is to be taken for shipment to the reference laboratory;~~
- ~~5. Verification of retrieval of the split sample from the freezer;~~
- ~~6. Verification that each specific step of the split sample packaging procedure is in accordance with the recommended procedure;~~
- ~~7. Verification of the address of the reference laboratory on the split sample package;~~
- ~~8. Verification of the condition of the split sample package immediately prior to the transfer of custody to the carrier for shipment to the reference laboratory; and~~
- ~~9. The date and time custody of the split sample package was transferred to the carrier.~~

~~The commission veterinarian, or his designee, and the trainer or owner of the horse, or his designee, shall witness, attest and sign the form, and a copy of the form shall be supplied to the trainer or owner.~~

~~In the event that the trainer or owner of the horse, or his designee, is not present, the commission veterinarian shall not remove the split sample from the freezer or ship the split sample to a reference laboratory.~~

~~M. Packaging the split sample. The following procedures shall apply to the packaging of the split sample:~~

~~1. The split sample shall be removed from the freezer by the commission veterinarian, or his designee, in the presence of the trainer or owner, or his designee.~~

~~2. The trainer or owner, or his designee, shall pack the split sample, in the presence of the commission veterinarian or his designee, in accordance with the instructions supplied by the reference laboratory.~~

~~3. The exterior of the package shall be secured and identified with initialed tape, evidence tape or other means to prevent tampering with the package.~~

~~4. The package containing the split sample shall be transported in the presence of the commission veterinarian, or his designee, and the trainer or owner, or his designee, to the location where custody is transferred to the delivery carrier for shipment to the reference laboratory.~~

~~5. The commission veterinarian, or his designee, and the trainer or owner, or his designee, shall inspect the package containing the split sample immediately prior to transfer to the delivery carrier to verify that the package is intact and has not been tampered with.~~

~~6. The commission veterinarian, or his designee, and the trainer or owner, or his designee, shall complete the chain of custody verification form.~~

## 11 VAC 10-180-60. Medications and substances.

~~A. Disciplinary actions. The stewards may, at their discretion, refer to the following guidelines in imposing a disciplinary action upon a permit holder for a positive test result for one of the three classifications listed in subsection B of this section. However, the stewards may, at their discretion and in consideration of the circumstances, impose a greater or lesser disciplinary action. The guidelines are:~~

- ~~1. Class 1. Six month to five year suspension and at least \$1,500 fine and loss of purse.~~
- ~~2. Class 2. Minimum of 15-day suspension and/or fine and loss of purse.~~
- ~~3. Class 3. Fine, suspension and loss of purse are discretionary, relating to the specific circumstances of the case and any mitigating circumstances.~~
- ~~4. For cimetidine, dicoumerol, griseofulvin, isoxsuprine, ranitidine, sulfa and tetramisole first offense: \$500 fine; second offense: 15-day suspension and disqualification.~~
- ~~5. For procaine, o desmethyl pyrilamine if the stewards determine that the drug was administered more than 48 hours before race day, first offense: \$500 fine; second offense: 15-day suspension and disqualification.~~
- ~~6. For procaine, o desmethyl pyrilamine if the stewards determine that the drug was administered within 48 hours of race day, first offense: 15-day suspension and disqualification; second offense: more stringent disciplinary action.~~
- ~~7. For methylprednisolone first offense, if found in urine only: \$250 fine, or if found in urine and blood: 15-day suspension and disqualification; second offense: 15-day suspension and disqualification.~~

~~8. For nonsteroidal anti-inflammatory substances first offense: \$500 fine and disqualification; second offense: 15-day suspension and disqualification; and third offense: \$500 fine, 15-day suspension and disqualification.~~

~~9. For two or more nonsteroidal anti-inflammatory substances, or a nonsteroidal anti-inflammatory substance and a corticosteroid substance 60-day suspension, disqualification, and a fine.~~

~~B. Classes of prohibited substances. A. Medications and substances are divided into three categories. The classes of prohibited substances categories are:~~

~~1. Class Category 1. Substances found in this class category have no generally accepted medical use in the racehorse and have a very high pharmacological potential for altering the performance of a racehorse. These substances should never be found in the horse's system through post-race testing or in the possession of any holder of a permit within the enclosure of a horse racing facility licensed by the commission. Such substances are potent stimulants of the nervous system including opiates, opium derivatives, synthetic opioids, psychoactive drugs, amphetamines and U.S. Drug Enforcement Agency (DEA) Scheduled I and II controlled substances, and substances that are products intended to alter consciousness or the psychic state of humans.~~

~~Also included in this category are some substances in this class, such as injectable local anesthetics, that have legitimate uses in equine medicine, but should not be found in a racehorse through post-race testing. The following groups of substances in this class category are:~~

- ~~a. Opiate partial agonists or agonist-antagonists;~~
- ~~b. Nonopiate psychotropic drugs, which may have stimulant, depressant, analgesic or neuroleptic effects;~~
- ~~c. Miscellaneous substances that might have a stimulant effect on the central nervous system (CNS);~~
- ~~d. Drugs with prominent CNS depressant action;~~
- ~~e. Antidepressant and antipsychotic drugs, with or without prominent CNS stimulatory or depressant effects;~~
- ~~f. Muscle-blocking substances that have a direct neuromuscular blocking action;~~
- ~~g. Local anesthetics which that have a reasonable potential for use as nerve-blocking agents (except procaine);~~
- ~~h. Other biological substances or chemicals that may be used as nerve-blocking agents; and~~
- ~~i. Erythropoietin (Epogen), Darbepoietin, Oxyglobin, Hemopure, or other blood-doping agents.~~

~~The commission, through these regulations, specifically states it will have zero tolerance for any positive test involving Category 1 substances.~~

~~2. Class Category 2. Substances found in this class category have an accepted therapeutic use in the horse, but have a potential to enhance performance, and their~~

~~presence in the horse's system is prohibited on race day. The following groups of substances are in this class are category:~~

- ~~a. Substances affecting the autonomic nervous system that do not have prominent CNS effects, but that do have prominent cardiovascular and respiratory system effects (bronchodilators are included in this class category);~~
- ~~b. Local anesthetics that have nerve-blocking potential but also a high potential for producing urine residue levels from a method of use not related to the anesthetic effect of the substance (procaine);~~
- ~~c. Miscellaneous substances with mild sedative action, such as the sleep-inducing antihistamines;~~
- ~~d. Primary vasodilating/hypotensive agents;~~
- ~~e. Potent diuretics affecting renal function and body fluid composition;~~
- ~~f. Nonopiate substances that have a mild central analgesic effect;~~
- ~~g. Substances affecting the autonomic nervous system that do not have prominent CNS, cardiovascular or respiratory effects:
  - ~~(1) Substances used solely as topical vasoconstrictors or decongestants;~~
  - ~~(2) Substances used as gastrointestinal antispasmodics;~~
  - ~~(3) Substances used to void the urinary bladder; and~~
  - ~~(4) Substances with a major effect on CNS vasculature or smooth muscle of visceral organs.~~~~
- ~~h. Antihistamines that do not have a significant CNS depressant effect (this does not include H1 blocking agents).~~

~~3. Class Category 3. Substances found in this class category are therapeutic medications that are considered nonperformance enhancing, but may interfere with testing. The following groups of substances are in this class are category:~~

- ~~a. Mineral corticoid substances;~~
- ~~b. Skeletal muscle relaxants;~~
- ~~c. Anti-inflammatory substances that may reduce pains as a consequence of their anti-inflammatory actions, which include:
  - ~~(1) Nonsteroidal anti-inflammatory drugs (NSAIDs)—aspirin-like substances;~~
  - ~~(2) Corticosteroids (glucocorticoids); and~~
  - ~~(3) Miscellaneous anti-inflammatory agents.~~~~
- ~~d. Anabolic or androgenic steroids, or both, and other substances;~~
- ~~e. Less potent diuretics;~~
- ~~f. Cardiac glycosides and antiarrhythmics including:~~

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- (1) Cardiac glycosides;
- (2) Antirhythmic agents (exclusive of lidocaine, bretilium and propranolol); and
- g. Topical anesthetics agents not available in injectable formulations;
- h. Antidiarrheal agents; and
- i. Miscellaneous substances including:
  - (1) Expectorants with little or no other pharmacologic action;
  - (2) Stomachics; and
  - (3) Mucolytic agents.

4. Newly developed substances not previously ~~classified~~ *categorized*. For the purposes of a stewards' determination if a chemical identification constitutes a positive finding, and for determining the subsequent disciplinary action, newly developed substances, not previously ~~classified~~ *categorized*, may be considered *Class Category 1* substances, until a duly recognized scientific body or regulatory racing authority determines the substance should be ~~classified~~ *categorized* otherwise.

*B. Disciplinary actions. The stewards shall, absent mitigating circumstances specifically noted in their findings, impose the disciplinary action noted below upon a permit holder for a positive test result for one of the three categories listed in subsection A of this section. The stewards also may refer the case to the commission for further disciplinary action. The penalties are:*

- 1. *For substances in Category 1--Revocation of permit and loss of purse;*
- 2. *For substances in Category 2--Fine of not less than 6.0% of the purse, not to exceed the maximum allowed by law, and loss of purse;*
- 3. *For substances in Category 3--Fine and suspension are discretionary, relating to the specific circumstances of the case and any mitigating circumstances; loss of purse shall be imposed.*
- 4. *For cimetidine, dicoumerol, griseofulvin, isoxsuprine, ranitidine, sulfa and tetramisole--first offense: \$500 fine; second offense: \$1,500 fine and loss of purse.*
- 5. *For procaine, o-desmethyl pyrilamine--if found in urine only, first offense: \$500 fine; second offense: \$1,500 fine and loss of purse.*
- 6. *For procaine, o-desmethyl pyrilamine--if found in urine and blood, first offense: \$1,500 fine and loss of purse; second offense: after notification of first offense, \$2,500 fine and loss of purse.*
- 7. *For methylprednisolone--first offense, if found in urine only: \$250 fine, or if found in urine and blood: \$1,000 fine and loss of purse; second offense: \$2,000 fine and loss of purse.*
- 8. *For nonsteroidal anti-inflammatory substances--first offense is a \$500 fine and loss of purse; second offense:*

*\$1,000 fine and loss of purse; and third offense: \$2,500 fine and loss of purse.*

9. *For two or more nonsteroidal anti-inflammatory substances, or a nonsteroidal anti-inflammatory substance and a corticosteroid substance other than methylprednisolone: \$5,000 fine and loss of purse.*

## **11 VAC 10-180-70. Phenylbutazone, flunixin and other NSAIDs.**

A. Generally. By this regulation, the Virginia Racing Commission specifically permits the use of *either* phenylbutazone *or flunixin (but not concurrently)* in racehorses in the quantities provided for in this chapter.

B. Quantitative testing. Any horse to which phenylbutazone *or flunixin* has been administered shall be subject to ~~having test samples taken~~ *testing* at the direction of the commission veterinarian to determine the quantitative ~~level~~ *levels* of phenylbutazone *and flunixin* or the presence of other substances which may be present.

C. Disciplinary actions. The stewards shall take the following disciplinary actions for reports of quantitative testing by the primary testing laboratory for levels of phenylbutazone quantified at levels above ~~2.0~~ *5.0* micrograms per milliliter of plasma *or flunixin quantified at levels above 20 ng per milliliter of plasma* in horses following races, qualifying races, and official timed workouts for the stewards or commission veterinarian:

~~1. The stewards shall verbally warn a trainer of a horse with a post race test above 2.0 to below 2.6 micrograms per milliliter of plasma;~~

~~2. The stewards shall fine a trainer \$500, but not more than any purse, for the first offense with a post race test above 2.6 micrograms per milliliter to below 5.0 micrograms per milliliter of plasma;~~

~~3. The stewards shall suspend a trainer for 15 days and disqualify the horse for a second offense with a post race test from above 2.6 micrograms per milliliter of plasma and below 5.0 micrograms per milliliter of plasma; and~~

4. 1. The stewards shall impose the following for a post-race test ~~of~~ *quantifying phenylbutazone above 5.0 micrograms per milliliter of plasma or flunixin above 20 ng per milliliter of plasma*:

(a) First offense: \$500 fine and ~~disqualification~~ *loss of purse*;

(b) Second offense: ~~15-day suspension~~ *\$1,500 fine and disqualification* *loss of purse*; and

(c) Third offense: ~~\$500~~ *\$2,500 fine, 15-day suspension and disqualification* *loss of purse*.

5. 2. The stewards, in their discretion, may impose other more stringent disciplinary actions against trainers or other permit holders who violate the provisions under which phenylbutazone *or flunixin* is permitted by the commission.

## 11 VAC 10-180-80. Permitted race day substances.

A. Generally. The following substances *that* have been determined to be nonperformance altering and administered only solely for the benefit and welfare of the horse. ~~These substances, nonperformance altering, of no danger to riders/drivers, and unlikely to interfere with the detection of prohibited substances,~~ may be administered to a horse on race day by a permit holder when administered under veterinary supervision within the limits of this chapter:

Intravenous commercially available electrolyte solutions including calcium and magnesium, but not including bicarbonate, providing such administration is a minimum of three hours prior to the post time for that horse's race and administered under veterinary supervision within the limits of this chapter.

B. Bleeder medications. By this regulation, the Virginia Racing Commission specifically permits the use of bleeder medications in only those horses that:

1. Have been placed on the bleeders list by the stewards; ~~or~~
2. Have raced on furosemide in another jurisdiction and on the last previous start in a pari-mutuel race, as indicated by the past performance chart or by verification by the commission veterinarian from that racing jurisdiction, or both; ~~or~~

3. *Have been placed on the furosemide list by the stewards. A horse is eligible for inclusion on the furosemide list if the licensed trainer and a licensed veterinarian determine it is in the horse's best interest to race with furosemide, and the prescribed commission form is presented to the commission veterinarian prior to the close of entries for the horse's race. A horse placed on the furosemide list without demonstrating an episode of exercise-induced pulmonary hemorrhage is not restricted from racing for the usual recovery period described in 11 VAC 10-180-85 D. However, any future episode of exercise-induced pulmonary hemorrhage shall be considered a reoccurrence of bleeding for the purpose of determining restrictions from racing, as provided in this chapter.*

*a. A trainer or owner may discontinue the administration of furosemide to his racehorse only with the permission of the stewards. The request must be submitted in writing on forms prescribed by the commission and prior to entering the horse in a race.*

*b. A horse removed from the furosemide list may not be placed back on the furosemide list for a period of 60 calendar days unless the horse suffers an external bleeding incident witnessed by the commission veterinarian or his designee. In such case, the horse shall be placed on the bleeders list as though that bleeding incident was a reoccurrence of bleeding and subjected to a minimum 30-day or 90-day restriction for recovery as provided in this chapter.*

C. Furosemide.

1. Procedures for usage. The use of furosemide shall be permitted by the commission only in horses eligible to

receive bleeder medications and under the following circumstances:

a. Furosemide shall be administered intravenously *within the enclosure of the horse race facility* by a veterinarian who is a permit holder.

b. The furosemide dosage administered shall not exceed 10 ml (500 mg) and shall not be less than 3 ml (150 mg). ~~Dosage levels between each race shall not vary by more than 3 ml (150 mg).~~

c. The veterinarian, ~~who is a permit holder,~~ administering the furosemide shall deliver a *furosemide treatment report* to the ~~commission's office at the horse racing facility commission~~ no later than two hours prior to post time ~~for the race in which the horse is entered~~. ~~a. The furosemide treatment form containing report shall contain the following:~~

- (1) The trainer's name, date, horse's name, and horse's identification number;
- (2) The time furosemide was administered to the horse;
- (3) ~~The prior dosage level of furosemide administered to the horse and the dosage level administered for this race;~~
- (4) The barn and stall number; and
- (5) The signature of the ~~private practitioner practicing veterinarian,~~ who is a permit holder.

2. Furosemide quantification. Furosemide levels must not exceed 100 nanograms per milliliter (ng/ml) of plasma ~~in horses administered furosemide and with urine specific gravity measuring 1.010 or lower.~~ Furosemide must be present in the plasma ~~or urine~~ of any horse ~~racing in Virginia which~~ that has been designated in the program as being treated with ~~bleeder medications~~ furosemide.

D. Disciplinary actions.

1. For the first violation of the regulation pertaining to furosemide quantification (subdivision ~~B-2 C 2~~ of this section), the stewards shall issue a written reprimand to the trainer ~~and to the practicing veterinarian, if applicable.~~

2. For the second violation of the regulation pertaining to furosemide quantification (subdivision ~~B-2 C 2~~ of this section), the stewards shall fine the trainer, *practicing veterinarian or both* an amount not to exceed \$500.

3. For the third violation of the regulation pertaining to furosemide quantification (subdivision ~~B-2 C 2~~ of this section) within a 12-month period, the stewards shall suspend or fine the trainer, *practicing veterinarian* or both.

4. The stewards, in their discretion, may impose other more stringent disciplinary actions against trainers or other permit holders who violate the provisions under which furosemide is permitted by the commission, regardless of whether or not the same horse is involved.

E. Adjunct bleeder medications. The Virginia Racing Commission permits the use of adjunct bleeder medications only in horses qualified to receive bleeder medications as

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provided for in this chapter. Such medications, if administered to a horse, must be administered concurrently with furosemide. Permissible adjunct bleeder medications and maximum dosages are:

1. Conjugated estrogens, not to exceed 25 milligrams.
2. Aminocaproic acid, not to exceed 2.5 grams.
3. Tranexamic acid, not to exceed 1 gram.
4. Carbazochrome, not to exceed 5 milliliters.

F. Program designation. The licensee shall be responsible for designating in the program those horses racing on furosemide. The designation shall also include those horses making their first start while racing on furosemide. In the event there is an error, the licensee shall be responsible for making an announcement to be made over the public address system and taking other means to correct the information published in the program.

G. Discontinue use of furosemide. A trainer or owner may discontinue the administration of furosemide to his horse only with the permission of the stewards and prior to entering the horse in a race.

## **11 VAC 10-180-85. Bleeders.**

A. Examination of bleeders. A horse that is alleged to have bled in Virginia must be physically examined by the commission veterinarian or a practicing veterinarian who is a permit holder in order to confirm the horse's inclusion on the bleeder list. The veterinarian may conclude a horse is a bleeder under the following circumstances:

1. If the examination takes place immediately following the race or exercise and before the horse leaves the racing surface or test barn, a veterinarian may conclude the horse is a bleeder and an endoscopic examination is not required for inclusion on the bleeder list; or
2. If the examination takes place after the horse leaves the racing surface but within 90 minutes following the finish of a race or exercise in which the horse participated, a veterinarian shall require an endoscopic examination for inclusion on the bleeder list.

B. Confirmation of a bleeder. The commission veterinarian or practicing veterinarian who is a permit holder shall decide, based upon his experience and professional training, whether the horse suffers from exercise-induced pulmonary hemorrhage and should be placed on the bleeder list. The confirmation of a bleeder shall be certified in writing by the commission veterinarian or practicing veterinarian, and the horse shall be placed on the bleeder list. The confirmation of a bleeder shall be filed with the commission within three days of the confirmation. Upon request, a copy of the certification shall be provided to the owner of the horse or his agent.

C. Posting of bleeder list. The bleeder list shall be maintained by the stewards, with the assistance of the commission veterinarian, and shall be made available upon request. No horse shall be removed from the bleeder list without the approval of the stewards.

D. Recovery period. If it is determined that a horse has bled as determined by this chapter, the horse shall be placed on the bleeders list and may not be permitted to race for at least 10 days. If a horse is determined to have bled within 365 days of the first occurrence, or if the horse bleeds externally on the track or in the test barn while on furosemide, the horse may not race for the following periods of time:

1. 30 days after the first reoccurrence;
2. 90 days after the second reoccurrence; and
3. The horse shall be barred from racing forever at the race meetings licensed by the commission after the third reoccurrence.

For the purpose of counting the number of days a horse is not permitted to race in meetings licensed by the commission, the day the horse bled is the first day of the recovery period, and the horse shall be permitted to race in meetings licensed by the commission when the last day of the recovery period under this chapter expired.

E. Bleeders from other jurisdictions. The commission veterinarian may designate a horse as a bleeder from another jurisdiction based upon information received from that jurisdiction confirming that the horse is a bleeder and that the requirements for inclusion on the bleeder list in Virginia have been satisfied.

## **11 VAC 10-180-90. Bicarbonate testing.**

A. Generally. By this regulation, the Virginia Racing Commission prohibits the feeding or administration to a horse on race day of any bicarbonate-containing substance or other alkalinizing substance that effectively alters the serum or plasma pH or concentration of bicarbonates or carbon dioxide in the horse.

B. Test values. ~~For a test sample collected from a horse at least one hour following a race in the test barn, the serum total carbon dioxide concentration shall not exceed 37.0 millimoles per liter.~~ A serum total carbon dioxide level exceeding this value 37.0 millimoles per liter constitutes a positive test.

C. Testing procedure. The stewards or commission veterinarian may, at their discretion and at any time, order the collection of test samples from any horses present within the enclosure for determination of serum or plasma pH or concentration of bicarbonate, carbon dioxide, or electrolytes. Prerace-testing may be done at a time and manner directed by the commission veterinarian. If testing post race, blood samples shall be taken at least one hour after racing. A sample consisting of at least two blood tubes shall be taken from the horse ~~at least one hour after racing~~ to determine the serum total carbon dioxide concentration. If the chief racing chemist finds that the total carbon dioxide levels in the tubes exceed the standard test values of 37.0 millimoles per liter, then he shall inform the stewards of the positive test results.

D. Split samples prohibited. The procedures for split sample testing shall not apply to bicarbonate testing procedures.

E. Disciplinary actions. The stewards shall, absent mitigating circumstances specifically noted in their findings, impose the following disciplinary action for violation of this section:



1. *First offense: \$2,500 fine and 90-day suspension; loss of purse.*

2. *Second offense: \$5,000 fine and 180-day suspension; loss of purse.*

3. *Third offense: Revocation of license.*

*The stewards also may refer the case to the commission for further disciplinary action.*

## **11 VAC 10-180-100. Collection of samples.**

*A. Test barn. Test samples shall be collected in the test barn under the supervision of the commission veterinarian or his designee. The commission veterinarian may, at his discretion, permit test samples to be collected in the horse's stall or any other location he deems appropriate. Under these circumstances, the commission veterinarian shall inform the stewards of his decision.*

*B. Horses to be tested. The stewards or commission veterinarian may, at any time, order the taking of test samples from any horse stabled within the enclosure of the horse racing facility, prior to racing or after racing including qualifying races and official timed workouts for the stewards or commission veterinarian. However, the stewards shall designate at least one horse from each race for the collection of test samples.*

### **C. Collection procedure.**

*1. The trainer or a permit holder designated by the trainer shall accompany the horse to the test barn and witness the collection and splitting of the samples. The trainer or permit holder designated by the trainer shall cooperate with the commission veterinarian and the commission's veterinary technicians in the performance of their duties. The trainer or permit holder designated by the trainer must remain with the horse until the horse is released from the test barn.*

*2. Horses, from which samples are to be collected, shall be escorted, following the race, directly to the test barn by the commission's veterinary technicians and the horses shall remain in the test barn until released by the commission veterinarian.*

*3. Stable equipment, other than common necessities for washing and cooling out a horse, is prohibited in the test barn. A practicing veterinarian may attend a horse in the test barn only in the presence of the commission veterinarian or the commission's veterinary technicians.*

*4. During the collection of test samples, the owner or trainer, or an assistant designated by the owner or trainer, shall be present and witness the collection of the test sample, the splitting of the sample and sealing of containers. In the case of a claimed horse, the owner or trainer, or an assistant designated by the owner or trainer in whose name the horse started, shall be present to witness the collection of the test samples.*

*5. The test and split samples collected from a horse shall have identification tags affixed. One portion of the tag, bearing a printed identification number, shall remain with the sealed test and split samples, and the other portion of the tag bearing the same printed identification numbers*

*shall be detached in the presence of the witness. The commission veterinarian or his designee shall on the detached portion of the tags identify the horse from which the test and split samples were collected, the race and date, and other information deemed appropriate. The detached portion of the tag shall be witnessed by the trainer or a permit holder designated by the trainer, and shall be retained by the commission veterinarian for safekeeping.*

*6. A horse's identity shall be confirmed by examining its lip-tattoo number, or for a Standardbred, its freeze brand number. A horse that has not been lip-tattooed or a Standardbred that has not been freeze branded shall be reported immediately to the stewards.*

*7. If, after a horse remains for a reasonable time in the test barn, a test sample of urine cannot be collected from the horse, the commission veterinarian may, at his discretion, collect a test sample of blood or permit the horse to be returned to its barn where a test sample may be collected under the supervision of the commission veterinarian or the commission's veterinary technicians.*

## **11 VAC 10-180-110. Laboratory findings and reports.**

*A. Primary testing laboratory. The commission shall designate a primary testing laboratory for the analysis of test samples collected under the supervision of the commission veterinarian. The commission shall designate a chief racing chemist within the primary testing laboratory who shall have the authority to report his findings to the executive secretary of the commission, the stewards and the commission veterinarian.*

*B. Reference laboratories. The commission shall designate one or more laboratories, other than the primary testing laboratory, as reference laboratories. These laboratories will conduct confirmatory analysis of split samples. Any reference laboratory must be willing to accept split samples for confirmatory testing. Any reference laboratory shall send results to both the person requesting the testing and the commission.*

*C. Chief racing chemist's responsibilities. The chief racing chemist shall be responsible for safeguarding and analyzing the test samples delivered to the primary testing laboratory. It shall be the chief racing chemist's responsibility to maintain proper equipment, adequate staffing and acceptable procedures to thoroughly and accurately analyze test samples submitted to the primary testing laboratory.*

*D. Reporting procedures. The chief racing chemist shall submit to the executive secretary of the commission, the stewards and the commission veterinarian a written report as to each test sample analyzed, indicating by identification tag number whether the test sample was negative or there was a chemical identification.*

*E. Chemical identifications. If the chief racing chemist determines that there is present in the test sample a substance or metabolites of a substance foreign to the natural horse, except those specifically permitted by the regulations of the commission, he shall submit a report of chemical identification to the executive secretary of the commission, the stewards and the commission veterinarian. In a report of*

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chemical identification, the chief racing chemist shall submit evidence acceptable in the scientific community and admissible in court in support of his determination.

F. Review of chemical identifications. Upon receipt of a report of a chemical identification from the chief racing chemist, the stewards shall conduct a review of the chemical identification, which shall include, but not be limited to, the chief racing chemist and the commission veterinarian. During the review, the following procedures shall apply:

1. All references to the report of a chemical identification shall be only by the identification tag number of the sample collected from the horse;
2. The chief racing chemist shall submit his written report of the chemical identification and the evidence supporting his finding;
3. The commission veterinarian shall submit a written statement to the stewards including, but not limited to, the category of the substance and its probable effect on a racehorse;
4. The stewards may ask questions at any time and request further documentation as they deem necessary;
5. If the chemical identification involves a Category 1 or Category 2 substance, as specified by this regulation, then the stewards shall determine that the chemical identification constitutes a violation of the regulations of the commission and it is deemed a positive test result;
6. If the chemical identification and quantification involves a Category 3 substance, as specified by this regulation, then the stewards shall determine whether the chemical identification does or does not constitute a violation of the regulations of the commission and whether it should be deemed a positive test result;
7. In the event of a positive test result, the stewards shall notify the trainer of the horse of his right to send the split sample collected from the horse to one of the reference laboratories, designated by the commission, for confirmatory testing;
8. The stewards shall take no disciplinary action against any permit holder until the results of confirmatory testing are received, and the findings shall be a part of the record of any subsequent hearing; and
9. The chief racing chemist's report of a chemical identification, the commission veterinarian's written statement, the results of confirmatory testing and any other documentation submitted to the stewards shall become part of the record of any subsequent proceedings.

G. Barred from racing. No horse from which a positive test sample was collected shall be permitted to race until the stewards have made a final determination in the matter. Such a horse shall not be immune from resulting disciplinary action by the stewards or the commission.

H. Frozen samples. Unconsumed portions of all test samples tested by the primary testing laboratory will be maintained in a frozen state until cleared by the chief racing chemist and

permission for their disposal is obtained from the Senior Commonwealth Steward.

I. Split samples. The commission veterinarian or his designee shall determine a minimum test sample requirement for the primary testing laboratory. If the test sample collected is less than the minimum requirement, then the entire test sample shall be sent to the primary laboratory.

If the sample collected is greater than the minimum sample requirement but less than twice that amount, the portion of the test sample that is greater than the minimum test sample requirement shall be secured as the split sample.

If the test sample collected is greater than twice the minimum test sample requirement, a portion of the sample approximately equal to the test sample shipped to the primary testing laboratory shall be secured as the split sample.

J. Storage of split samples. Split samples shall be stored in secured location inside a locked freezer in accordance with the following procedures:

1. Split samples shall be secured in the test barn in the same manner as the portion of the test sample acquired for shipment to the primary laboratory until such time as test samples are packed and secured for shipment to the primary laboratory.
2. Upon shipment of the test samples to the primary laboratory, the split samples shall be transferred to the locked freezer by the commission veterinarian who shall be responsible for securing possession of the keys.
3. The freezer for storage of split samples shall be opened only for depositing or removing split samples, for inventory, or for checking the condition of split samples.
4. Whenever the freezer used for storage of split samples is opened, it shall be attended by the commission veterinarian or his designee and a representative of the horsemen if the respective horsemen's association has provided a representative. In the case that the split samples from a race must be secured in the freezer and no horsemen's representative is present, the commission veterinarian or his designee shall be in attendance.
5. A log shall be maintained each time the freezer used for storage of split samples is opened to specify each person in attendance, the purpose for opening the freezer, identification of split samples deposited or removed, the date and time the freezer was opened, and the time the freezer was locked.
6. Any evidence of a malfunction of the freezer used for storage of split samples or evidence that split samples are not in a frozen condition shall be documented in the log and immediately reported to the stewards.

K. Shipment of split samples. The trainer or owner of the horse shall have 48 hours from receipt of notice of a positive test result to request that the split sample be shipped to one of the reference laboratories designated by the commission and the split sample shall be shipped to the requested reference laboratory. The cost of shipment and additional testing shall

be paid by the permit holder requesting the testing of the split sample.

L. Chain of custody form. The commission veterinarian, or his designee, shall be responsible for the completion of a chain of custody verification form that shall provide a place for recording the following information:

1. Date and time the split sample is removed from the freezer;
2. The test sample number;
3. The address of the reference laboratory;
4. The name and address where the split sample package is to be taken for shipment to the reference laboratory;
5. Verification of retrieval of the split sample from the freezer;
6. Verification that each specific step of the split sample packaging procedure is in accordance with the recommended procedure;
7. Verification of the address of the reference laboratory on the split sample package;
8. Verification of the condition of the split sample package immediately prior to the transfer of custody to the carrier for shipment to the reference laboratory; and
9. The date and time custody of the split sample package was transferred to the carrier. The commission veterinarian, or his designee, shall witness, attest and sign the form, and a copy of the form shall be supplied to the trainer or owner.

In the event that the trainer or owner of the horse, or his designee, is not present, the commission veterinarian may not remove the split sample from the freezer or ship the split sample to a reference laboratory unless the trainer or owner has declined in writing his option to witness the removal, packaging and shipping procedure.

M. Packaging the split sample. The following procedures shall apply to the packaging of the split sample:

1. The split sample shall be removed from the freezer by the commission veterinarian or his designee; the trainer or owner, or his designee, may be present.
2. The trainer or owner, or his designee, may witness the packaging of the split sample by the commission veterinarian or his designee, in accordance with the instructions supplied by the reference laboratory.
3. The exterior of the package shall be secured and identified with initialed tape, evidence tape or other means to prevent tampering with the package.
4. The trainer or owner, or his designee, may accompany the commission veterinarian or his designee while delivering the package containing the split sample to the location where custody is transferred to the delivery carrier for shipment to the reference laboratory.
5. The trainer or owner, or his designee, may inspect the package containing the split sample immediately prior to

transfer to the delivery carrier to verify that the package is intact and has not been tampered with.

6. The trainer or owner, or his designee, if witnessing the procedures, shall sign the chain of custody verification form.

VA.R. Doc. No. R05-159; Filed March 24, 2005, 10:24 a.m.

TITLE 12. HEALTH

STATE BOARD OF HEALTH

REGISTRAR'S NOTICE: The following regulatory action is exempt from the Administrative Process Act in accordance with § 2.2-4006 A 4 c of the Code of Virginia, which excludes regulations that are necessary to meet the requirements of federal law or regulations provided such regulations do not differ materially from those required by federal law or regulation. The State Board of Health will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision.

Title of Regulation: **12 VAC 5-590. Waterworks Regulations (amending 12 VAC 5-590-140 and 12 VAC 5-590-150).**

Statutory Authority: §§ 32.1-12 and 32.1-170 of the Code of Virginia.

Effective Date: May 18, 2005.

Agency Contact: Linda L. Jackson, Regulatory Compliance Paralegal, Department of Health, 109 Governor Street, Room 632, Richmond, VA 23219, telephone (804) 864-7499, FAX (804) 864-7521 or e-mail lindal.jackson@vdh.virginia.gov.

Summary:

The amendments update, clarify and replace existing regulations that describe the manner by which the state may issue variances and exemptions. These changes are set forth in 40 CFR Parts 141 and 142, found in the Revision of Existing Variance and Exemption Regulations to Comply with Requirements of the Safe Drinking Water Act; Final Rule (63 FR 43834-43851 August 14, 1998).

**12 VAC 5-590-140. Variances.**

A. The commissioner may grant a variance to a primary maximum contaminant level (PMCL), a treatment technique requirement, an operational regulation, ~~treatment technique requirement, primary maximum contaminant level (PMCL)~~ or a secondary maximum contaminant level (SMCL) by following the appropriate procedures set forth in this section.

1. *Requirements for a variance.* A PMCL variance may be granted to a waterworks from any requirement respecting a PMCL upon a finding that:

- a. *Alternative sources of water are not reasonably available to the waterworks;*
- a- b. The characteristics of the raw water sources which are reasonably available to the waterworks prevent the waterworks from meeting the PMCL requirements despite

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~~application of and on condition that the waterworks installs the best available technology, treatment techniques, or other means, which the commissioner finds are generally available (taking costs into consideration); and~~

~~b. c.~~ The granting of a variance will not result in an unreasonable risk to the health of persons served by the ~~system~~ waterworks.

2. The commissioner may grant a ~~PMCL~~ *treatment technique* variance from any requirement of a specified treatment technique upon a finding that the waterworks applying for the variance has demonstrated that such treatment technique is not necessary to protect the health of persons because of the nature of the raw water source of such waterworks.

3. The commissioner may grant ~~an operational~~ a variance ~~from an operational regulation or a SMCL~~ if a thorough investigation reveals that the hardship imposed ~~(which may include economic factors)~~ outweighs the benefits that may be received by the public and that the granting of such variance does not subject the public to unreasonable health risks. An operational variance may not be issued ~~for~~ *from* monitoring, reporting, or public notification requirements.

B. *Application for a variance.* Any owner may apply in writing for a variance. The application should be sent to the appropriate field office for *review evaluation*. ~~The application~~ *All applications for a variance shall include the following:*

1. A citation of the regulation from which a variance is requested;
2. The nature and duration of *the* variance requested;
3. Relevant analytical results of water quality sampling of the waterworks, including results of relevant tests conducted pursuant to *the* requirements of this chapter;
4. A statement of ~~reasons why the hardship to the owner and the anticipated impacts to the public health and welfare would be better served~~ if a variance were granted;
5. Suggested conditions that might be imposed on the granting of a variance that would limit its detrimental impact on public health and welfare;
6. *Other information, if any, believed by the applicant to be pertinent to the application; and*
7. *Such other information as may be required by the commissioner to make the determination.*

~~6- 8.~~ For any ~~request application made under subdivision A 4 of this section~~ for a PMCL variance, the applicant shall also include;

- a. Explanation in full and evidence of the best available treatment technology and techniques;
- b. Economic and legal factors relevant to ability to comply;
- c. Analytical results of raw water quality relevant to the variance request;

d. A proposed compliance schedule including the date each step toward compliance will be achieved. Such schedule shall include as a minimum the following dates:

- (1) Date by which arrangement for alternative raw water source or improvement of existing raw water source will be completed;
- (2) Date of initiation of the connection of the alternative raw water source or improvement of existing raw water source; and
- (3) Date by which final compliance is to be achieved.

e. A plan for the provision of safe drinking water in the case of an excessive rise in the contaminant level for which the variance is requested; and

f. A plan for interim control measures during the effective period of *the* variance.

~~7- 9.~~ For any ~~request application made under subdivision A 2 of this section~~, for a *treatment technique variance*, the applicant must also include a statement that the owner will ~~perform~~ monitoring and other reasonable requirements prescribed by the ~~division commissioner~~ as a condition to the variance; *will be performed*.

~~8- Other information, if any, believed to be pertinent by the applicant; and~~

~~9- Such other information as the division may require.~~

C. 4. *Consideration of a variance application.*

1. The commissioner shall act on any variance ~~request application~~ submitted pursuant to subsection B of this section within 90 days of receipt of ~~request the application~~.

2. In the commissioner's consideration of whether the waterworks is unable to comply with a contaminant level required by this chapter (PMCL variance) because of the nature of the raw water source, the commissioner shall consider such factors as the following:

- a. The availability and effectiveness of treatment methods for which the variance is requested; ~~and~~.
- b. Cost and other economic considerations such as implementing treatment, improving the quality of the source water, or using an alternate source.

3. In the commissioner's consideration of whether a waterworks should be granted a variance to a required treatment technique because such treatment is unnecessary to protect the public health (~~PMCL treatment technique~~ variance), the commissioner shall consider such factors as the following:

- a. Quality of the water source including water quality data and pertinent sources of pollution.
- b. Source protection measures employed by the waterworks.

4. In the commissioner's consideration of whether waterworks should be granted a variance to a required operational procedure or SMCL (operational variance), the commissioner shall consider such factors as the following:

- a. The effect that such a variance would have on the adequate operation of the waterworks, including operator safety; *(in accordance with Virginia Occupational Safety and Health laws)*.
- b. The cost and other economic considerations imposed by this requirement; ~~and~~.
- c. The effect that such a variance would have on the protection of the public health.

D. 4- Disposition of a variance application.

1. The commissioner may reject any application for a variance by sending a rejection notice to the applicant. The rejection notice shall be in writing and shall state the reasons for the rejection. A rejection notice constitutes a case decision. The applicant has the right to petition for a hearing within 60 days of the date of the rejection to challenge the rejection pursuant to 12 VAC 5-590-160 and 12 VAC 5-590-180.

2. If the commissioner ~~proposes to grant a~~ *grants the* variance request submitted pursuant to ~~subsection B of this section~~, the applicant shall be notified in writing of this decision. Such notice shall identify the variance, the waterworks covered, and shall specify the period of time for which the variance will be effective;

a. For a PMCL variance as specified in subdivision A 1 of this section, such notice shall provide that the variance will be terminated when the waterworks comes into compliance with the applicable regulation and may be terminated upon a finding by the ~~division commissioner~~ that the waterworks has failed to comply with any requirements of a final schedule issued pursuant to subdivision D 3 of this section;

b. For a ~~PMCL~~ *treatment technique* variance as specified in subdivision A 2 of this section, such notice shall provide that the variance may be terminated at any time upon a finding by the ~~division commissioner~~ that the nature of the raw water source is such that the specified treatment technique for which the variance was granted is necessary to protect the public health or upon a finding that the waterworks has failed to comply with monitoring and other requirements prescribed by the commissioner as a condition to the granting of the variance; ~~and~~.

c. For an operational variance as specified in subdivision A 3 of this section, such notice shall provide that the variance will be terminated when the waterworks comes into compliance with the applicable regulation and may be terminated upon a finding by the ~~division commissioner~~ that the waterworks has failed to comply with any requirements or schedules issued in conjunction with the variance. The effective date of the operational variance shall be ~~15 days following its issuance~~ *the date of its issuance*. ~~Unless otherwise noted, the variance will be deemed acceptable if no response is received within the 15-day period. A public hearing is not required before the issuance of an operational variance.~~

3. Schedules pursuant to *PMCL and treatment technique* variances:

a. The proposed schedule for compliance shall specify dates by which steps towards compliance are to be taken, including where applicable:

~~(i) the~~ (1) Date by which arrangement for an alternative water source or improvement of existing raw water source will be completed;

~~(ii)~~ (2) Date of connection to the alternative raw water source or improvement of the existing raw water source;

~~(iii)~~ (3) Date by which final compliance is to be achieved.

b. If the waterworks has no access to an alternative raw water source and can effect or anticipate no adequate improvement of the existing raw water source, the proposed schedule may specify an indefinite time period for compliance until a new and effective treatment technology is developed, at which time a new compliance schedule shall be prescribed by the commissioner;

c. The schedule for implementation of interim control measures during the period of variance shall specify interim treatment techniques, methods, and equipment and dates by which steps toward meeting the interim control measures are to be met;

d. The schedule shall be prescribed by the commissioner at the time of ~~the granting of the variance subsequent to provision of the opportunity for hearing pursuant to subsection E of this section; and is granted.~~

e. For a PMCL variance specified in subdivision A 1 of this section the commissioner shall propose a schedule for:

(1) Compliance (including increments of progress) by the waterworks with each contaminant level requirement covered by the variance; and

(2) Implementation by the waterworks of such control measures as the commissioner may require for each contaminant *level* covered by the variance.

E. 4- *Public hearings on PMCL and treatment technique variances and their schedules.*

1. ~~Notice and opportunity for~~ *of* a public hearing shall be provided before a variance ~~or and~~ schedule proposed by the commissioner pursuant to subsection D of this section may take effect. A notice given pursuant to the preceding sentence may cover the granting of more than one variance and a *public* hearing held pursuant to such notice shall include each of the variances covered by the notice.

2. ~~Public Notice of an opportunity for a public hearing on an application for a variance or and its schedule shall be circulated by the division in a manner designed to inform interested and potentially interested persons of the proposed variance or schedule. Notification of opportunity shall be published advertised in at least one major newspaper of general circulation located in either Richmond, Virginia, or in the locality to region in which the waterworks is located proposed variance or schedule applies. Such notification~~ *The notice* shall include a

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summary of the proposed variance ~~or~~ *and its* schedule and shall inform interested persons that they may request a public hearing on the proposed variance or schedule contain the time, date, and place of the public hearing. If the schedule exceeds five years from the date of the variance, the rationale for the extended compliance schedule shall be discussed in the notice.

~~3. Requests for hearing may be submitted to the division by any interested person. Frivolous or insubstantial requests for hearings may be denied by the commissioner. Requests must be submitted to the division within 30 days after issuance of the public notices provided for in subdivision 2 of this subsection. Such requests shall include the following information:~~

- ~~a. The name, address and telephone number of the individual, organization or other entity requesting a hearing;~~
- ~~b. A brief statement of the interest of the person making the request in the proposed variance or schedule and of information that the requesting person intends to submit at each hearing; and~~
- ~~c. The signature of the individual making the request, or if the request is made on behalf of an organization or other entity, the signature of a responsible official of the organization or other entity.~~

~~4. Notification of any hearing to be held pursuant to a request submitted by an interested person shall be made in accordance with subdivision E 2 of this section. Notice of the hearing shall also be sent to the persons requesting the hearing, if any. Notice shall be published and issued at least 15 days before the date of the hearing.~~

~~5. The hearing shall be conducted in an informal, orderly and expeditious manner by a hearing officer designated by the commissioner. The public hearing procedure shall be pursuant to subdivisions B 2 and B 3 of 12 VAC 5-590-160. Copies of the final decision shall be mailed to all parties who attended the hearing.~~

~~6. The variance or schedule shall become effective 30 days after notice of opportunity of hearing is given pursuant to subdivision 3 of this subsection if no timely request for hearing is received.~~

~~F. All variances granted to any waterworks are nontransferable. Each variance must be attached to the permit of the waterworks to which it is granted. Each variance is a condition to that permit and is revoked when the permit is revoked. Issuance of variance.~~

*1. Within 30 days after the public hearing, the commissioner shall, taking into consideration information obtained during such hearing, revise the proposed variance as necessary and prescribe the final schedule for compliance and interim measures for the waterworks granted a variance. If the schedule for compliance exceeds five years from the date of issuance of the variance, the commissioner shall document the rationale for the extended compliance schedule.*

*2. Such schedule shall establish the timetable by which the waterworks shall comply with each contaminant level and*

*treatment technique requirement prescribed by this chapter. Such schedule shall also consider if the waterworks is to become part of a regional waterworks. Such schedule shall provide the shortest practicable time schedule under the circumstances.*

~~G. Posting of variances. All variances granted to any waterworks are nontransferable. Each variance must be attached to the permit of the waterworks to which it is granted. Each variance is a condition to that permit and is revoked when the permit is revoked.~~

~~G. H. No variances shall be granted to the following sections of this chapter.~~

~~1. 12 VAC 5-590-380 - Bacteriological quality; provided, however, that the commissioner may grant a variance to a waterworks owner that demonstrates to the division that the violation of the total coliform PMCL is due solely to either a persistent growth of total coliforms in the distribution system rather than fecal or pathogenic contamination, a treatment lapse or deficiency, or a problem in the operation or maintenance of the distribution system.~~

~~2. 12 VAC 5-590-400 - Radiological quality.~~

~~3. 12 VAC 5-590-420 - Treatment technique requirements.~~

## **12 VAC 5-590-150. Exemptions.**

A. The commissioner may grant an exemption to any primary maximum contaminant level (PMCL) or *treatment technique requirement* by following the procedures set forth in this subsection. An exemption may be granted to a waterworks from any requirement with respect to a PMCL or treatment technique requirement upon a finding that:

*1. The waterworks must be unable to implement measures to develop an alternative source of water supply;*

*2. The waterworks cannot reasonably make management or restructuring changes that will result in compliance or improve the quality of the drinking water;*

~~3. Due to compelling factors (which may include economic factors), the waterworks is unable to comply with such contaminant level or treatment technique requirement;~~

~~4. The granting of the exemption will not result in an unreasonable risk to the health of persons served by the waterworks; and~~

~~5. The waterworks was in operation on the effective date of such contaminant level or treatment technique requirement; and~~

~~6. The waterworks has not been granted a variance.~~

B. *Application for exemption.* A waterworks owner may request the granting of an exemption pursuant to this subsection for a waterworks by submitting a request for an exemption in writing a written application to the appropriate field office for evaluation. Any written request All applications for an exemption or exemptions shall include the following information:

1. A citation to the regulation from which the exemption is requested;

2. Nature and duration of *the* exemption requested;
3. Relevant analytical results of water quality sampling of the waterworks, including results of relevant tests conducted pursuant to the requirements of this chapter;
4. Explanation of the compelling factors such as time or economic factors which prevent such waterworks from achieving compliance;
5. Other information believed by the applicant to be pertinent to the application;
6. A proposed compliance schedule, including the date when each step toward compliance will be achieved; and
7. Such other information as ~~the division~~ may require be required by the commissioner to make the determination.

#### C. Consideration of an exemption application.

1. The commissioner shall act on any exemption ~~request application~~ submitted pursuant to subsection B of this section within 90 days of receipt of the ~~request application~~.
2. In the commissioner's consideration of whether the waterworks is unable to comply due to compelling factors, the commissioner shall consider such factors as the following:
  - ~~1.~~ a. Construction, installation, or modification of treatment equipment or systems;
  - ~~2.~~ b. The time needed to put into operation a new treatment facility to replace an existing waterworks which is not in compliance; ~~and~~
  - ~~3.~~ c. *The economic feasibility of compliance;*
  - d. The availability of Drinking Water State Revolving Fund assistance or any other federal or state program that is reasonably likely to be available within the period of the exemption;*
  - e. The consideration of rate increases, accounting changes, the appointment of a licensed operator under the state operator's licensure program, or contractual agreements for joint operation with one or more waterworks;*
  - f. The activities consistent with Virginia's capacity development strategy to help the waterworks acquire and maintain technical, financial, and managerial capacity to come into compliance;*
  - g. The ownership changes, physical consolidation with another waterworks, or other feasible and appropriate means of consolidation that would result in compliance; and*
  - h. The availability of an alternative source of drinking water, including the feasibility of partnerships with neighboring waterworks, as identified by the waterworks or by the commissioner consistent with the capacity development strategy.*

#### D. ~~4.~~ Disposition of an exemption application.

1. The commissioner may reject any ~~request application~~ for an exemption by sending a rejection notice to the applicant. *The rejection notice shall be in writing and shall state the reasons for the rejection.* ~~The A rejection notice~~ constitutes a case decision. The applicant has the right to petition for a hearing within 60 days of the date of the rejection to challenge the rejection pursuant to 12 VAC 5-590-160 and 12 VAC 5-590-180.

2. If the commissioner grants ~~an~~ *the* exemption ~~request submitted pursuant to subsection B of this section, he shall notify the applicant of his decision shall be notified in writing of this decision. Such notice shall identify *the exemption*, the waterworks covered, and shall specify the termination date of the exemption. Such notice shall provide that the exemption shall be terminated when the waterworks comes into compliance with the applicable regulation, and may be terminated upon a finding by the commissioner that the waterworks has failed to comply with any requirements of a final schedule issued pursuant to subsection F of this section.~~

3. The commissioner shall propose a schedule for:

- a. Compliance (including increments of progress) by the waterworks with each contaminant ~~technique level and treatment technique~~ requirement covered by the exemption; and
- b. Implementation by the waterworks of such control measures as the commissioner may require for each contaminant *level and treatment technique requirement* covered by the exemption.

4. The schedule shall be prescribed by the commissioner at the time the exemption is granted ~~subsequent to provision of opportunity for hearing pursuant to subsection E of this section.~~

5. *For waterworks that serve a population of not more than 3,300 persons and that needs financial assistance for the necessary improvements under the initial compliance schedule, an exemption granted by the commissioner may be for one or more additional two-year periods, but not to exceed a total of six additional years, only if the commissioner establishes that the waterworks is taking all practicable steps to meet the requirements of the exemption and the established compliance period. The commissioner will document the findings in granting an extension under this subdivision.*

#### E. ~~4.~~ Public hearings on exemptions and their schedules.

1. ~~Notice and opportunity for~~ of a public hearing shall be provided before ~~a an exemption and~~ schedule proposed by the commissioner pursuant ~~this~~ to subsection D of this section may take effect. A notice given pursuant to ~~this subsection the preceding sentence~~ may cover the ~~proposal granting of more than one such schedule, exemption and a public hearing held pursuant to such notice shall include each of the schedules exemptions covered by the notice.~~

2. ~~Public Notice of an opportunity for~~ a public hearing on an application for an exemption and its schedule shall be circulated in a manner designed to inform interested and potentially interested persons of the proposed schedule.

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~~Notification of opportunity shall be published advertised in at least one major newspaper of general circulation located in either Richmond, Virginia or in the locality to region in which the proposed exemption schedule applies waterworks is located.~~

~~Such notification~~ The notice shall include a summary of the proposed exemption and its schedule and shall inform interested persons that they may request a public hearing on the proposed schedule contain the time, date, and place of the public hearing.

~~3. Requests for hearing may be submitted by an interested person. Frivolous or insubstantial requests for hearings may be denied by the commissioner. Requests must be submitted to the division within 30 days after issuance of the public notices provided for in this subsection. Such requests shall include the following information:~~

~~a. The name, address, and telephone number of the person, organization or other entity requesting a hearing;~~

~~b. A brief statement of the interest of the person making the request in the proposed schedule and of information that the requesting person intends to submit at such hearing; and~~

~~c. The signature of the individual making the request, or, if the request is made on behalf of an organization or other entity, the signature of a responsible official of the organization or other entity.~~

~~4. Notification of any hearing to be held pursuant to a request submitted by an interested person shall be made in accordance with this subsection. Notice of the hearing shall also be sent to the persons requesting the hearing, if any. Notice shall be published and issued at least 15 days before the date of the hearing.~~

~~The hearing shall be conducted in an informal, orderly and expeditious manner by a hearing officer designated by the commissioner. The public hearing procedure shall be pursuant to subdivisions B 2 and B 3 of 12 VAC 5-590-160. Copies of the final decision shall be mailed to all parties who attended the hearing.~~

## F. 4. Issuance of exemption.

1. Within 30 days after the termination of the public hearing, the commissioner shall, taking into consideration information obtained during such hearing, revise the proposed schedule exemption as necessary and prescribe the final schedule for compliance and interim measures for the waterworks granted an exemption.

2. Such schedule shall establish the timetable by which the waterworks shall comply with each contaminant level and treatment technique requirement prescribed by this chapter. *If the schedule for compliance exceeds five years from the date of issuance of the exemption, the commissioner shall document the rationale for the extended compliance period.* Such schedule shall also consider if the waterworks is to become part of a regional waterworks.

G. *Posting of exemptions. All exemptions granted to any waterworks are nontransferable. Each exemption must be*

*attached to the permit of the waterworks to which it is granted. Each exemption is a condition to that permit and is revoked when the permit is revoked.*

G. H. No exemption shall be granted to the following sections of this chapter:

1. 12 VAC 5-590-380 - Bacteriological quality; provided, however, that the commissioner may grant a variance an exemption to a waterworks owner that demonstrates to the division commissioner that the violation of the total coliform PMCL is due solely to either a persistent growth of total coliforms in the distribution system rather than fecal or pathogenic contamination, a treatment lapse or deficiency, or a problem in the operation or maintenance of the distribution system.

2. 12 VAC 5-590-400 - Radiological quality.

3. 12 VAC 5-590-420 B 1 b - Residual disinfection disinfectant concentration.

VA.R. Doc. No. R05-158; Filed March 21, 2005, 12:58 p.m.

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## TITLE 18. PROFESSIONAL AND OCCUPATIONAL LICENSING

### BOARD OF HEALTH PROFESSIONS

Title of Regulation: 18 VAC 75-40. Regulations Governing the Criteria for Certification of Dialysis Technicians (adding 18 VAC 75-40-10, 18 VAC 75-40-20 and 18 VAC 75-40-30).

Statutory Authority: § 54.1-2400 and Chapter 27.01 (§ 54.1-2729.1 et seq.) of Title 54.1 of the Code of Virginia.

Effective Date: May 18, 2005.

Agency Contact: Elaine J. Yeatts, Agency Regulatory Coordinator, Department of Health Professions, 6603 West Broad Street, Richmond, VA 23230, telephone (804) 662-9918, FAX (804) 662-9114, or e-mail elaine.yeatts@dhp.virginia.gov.

#### Summary:

*The regulation establishes criteria for the use of the titles of dialysis patient care technician or dialysis care technician in conformance with Chapter 995 of the 2003 Acts of Assembly. The regulation lists the board-approved certification organizations through which a person may use one of the restricted titles.*

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



CHAPTER 40.  
REGULATIONS GOVERNING THE CRITERIA FOR  
CERTIFICATION OF DIALYSIS TECHNICIANS.

**18 VAC 75-40-10. Definitions.**

The following terms when used in this chapter shall have the following meanings unless the context clearly indicates otherwise:

"Board" means the Board of Health Professions.

"Dialysis patient care technician" or "dialysis care technician" means a person who has obtained certification from an organization approved by the board to provide, under the supervision of a licensed practitioner of medicine or a registered nurse, direct care to patients undergoing renal dialysis treatments in a Medicare-certified renal dialysis facility. Such direct care may include, but need not be limited to, the administration of heparin, topical needle site anesthetics, dialysis solutions, sterile normal saline solution, and blood volumizers in accordance with the order of a licensed physician, nurse practitioner or physician assistant.

**18 VAC 75-40-20. General provisions; scope of practice.**

A. In accordance with Chapter 27.01 (§ 54.1-2729.1 et seq.) of Title 54.1 of the Code of Virginia and this chapter, only those persons who hold certification from an entity approved by the board as prescribed in 18 VAC 75-40-30 shall:

1. Provide direct patient care in a Medicare-certified renal dialysis facility.
2. Administer medications in accordance with subsection O of § 54.1-3408 of the Code of Virginia.

B. Dialysis patient care technicians or dialysis care technicians shall practice only under the supervision of a licensed practitioner of medicine or a registered nurse.

C. Dialysis patient care technicians or dialysis care technicians shall administer medications only under the orders of a licensed physician, nurse practitioner, or physician assistant and under the direct and immediate supervision of a registered nurse.

D. Persons who do not hold such certification shall not hold the restricted titles or use any other title or term that implies a minimum level of education, training and competence. Unregulated persons shall only perform services relating to the technical elements of dialysis, such as equipment maintenance and preparation of dialyzers for reuse by the same patient.

**18 VAC 75-40-30. Criteria for use of the titles of dialysis patient care technician or dialysis care technician.**

In order to use the titles of dialysis patient care technician or dialysis care technician or administer medications in a Medicare-certified renal dialysis facility, a person shall hold one of the following certifications:

1. Certified Clinical Hemodialysis Technician (CCHT) by the Nephrology Nursing Certification Commission (NNCC);
2. Certified Hemodialysis Technician (CHT) by the Board of Nephrology Examiners Nursing and Technology (BONENT);

3. Certified in Clinical Nephrology Technology (CCNT) by the National Nephrology Certification Organization (NNCO); or

4. Certification or licensure as a dialysis technician or similar title by another jurisdiction in the United States provided the standards for certification or licensure are substantially equivalent to those in Virginia.

VA.R. Doc. No. R03-236; Filed March 23, 2005, 10:37 a.m.

**TITLE 22. SOCIAL SERVICES**

**DEPARTMENT OF REHABILITATIVE SERVICES**

**REGISTRAR'S NOTICE:** The following regulatory action is exempt from the Administrative Process Act in accordance with § 2.2-4006 A 4 a of the Code of Virginia, which excludes regulations that are necessary to conform to changes in Virginia statutory law where no agency discretion is involved. The Department of Rehabilitative Services will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision.

Title of Regulation: **22 VAC 30-40. Protection of Participants in Human Research (amending 22 VAC 30-40-10, 22 VAC 30-40-70, 22 VAC 30-40-130, 22 VAC 30-40-140 and 22 VAC 30-40-150).**

Statutory Authority: §§ 51.5-14 and 51.5-14.01 of the Code of Virginia.

Effective Date: May 18, 2005.

Agency Contact: Elizabeth Smith, Policy and Planning Director, Department of Rehabilitative Services, 8004 Franklin Farms Drive, P.O. Box K-300, Richmond, VA 23288-3300, telephone (804) 662-7071, FAX (804) 662-7696 or e-mail elizabeth.smith@drs.virginia.gov.

Summary:

All references to the Board of Rehabilitative Services have been removed from these regulations as the Department of Rehabilitative Services no longer has an administrative board. The Commissioner of Rehabilitative Services is responsible for duties previously assigned to the board.

**22 VAC 30-40-10. Definitions.**

The following words and terms when used in this chapter shall have the following meanings; unless the context clearly indicates otherwise:

"Affiliated with the institution" means employed by the institution or a member of a household containing an employee of the institution.

~~"Board" means the Board of Rehabilitative Services for the Department of Rehabilitative Services.~~

"Commissioner" means the Commissioner of the Department of Rehabilitative Services.

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"Department" means the Department of Rehabilitative Services.

"Human participant" means a living individual about whom an investigator (whether professional or student) conducting research obtains (i) data through intervention or interaction with the individual or (ii) identifiable private information.

"Human research" means any systematic investigation which utilizes human participants who may be exposed to physical or psychological injury as a consequence of participation and which departs from the application of established and accepted therapeutic methods appropriate to meet the participant's needs.

"Independent living center" means a consumer-controlled, community-based, cross disability, nonresidential private nonprofit agency that:

1. Is designed and operated within a local community by individuals with disabilities; and
2. Provides an array of independent living services.

"Institution" means the department, any center of independent living, sheltered workshop, the Woodrow Wilson Rehabilitation Center, or any facility or program operated, funded, or licensed by the department.

"Interaction" includes communication or interpersonal contact between investigator and participant.

"Intervention" includes both physical procedures by which data are gathered (for example, venipuncture) and manipulations of the participant or participant's environment that are performed for research purposes.

"Legally authorized representative" means the parent or parents having custody of a prospective participant, the legal guardian of a prospective participant, or any person or judicial or other body authorized by law or regulation to consent on behalf of a prospective participant to such person's participation in the particular human research. For the purposes of this definition, any person authorized by law or regulation to consent on behalf of a prospective participant to his participation in the particular human research shall include an attorney-in-fact appointed under a durable power of attorney, to the extent the power grants the authority to make such a decision. The attorney-in-fact shall not be employed by the person, institution or agency conducting the human research and shall not be authorized to consent to nontherapeutic medical research. No official or employee of the institution or agency conducting or authorizing the research shall be qualified to act as a legally authorized representative.

"Minimal risk" means that the risks of harm anticipated in the proposed research are not greater, considering probability and magnitude, than those ordinarily encountered in daily life or during the performance of routine physical or psychological examinations or tests.

"Nontherapeutic research" means human research in which there is no reasonable expectation of direct benefit to the physical or mental condition of the participant.

"Private information" includes information about the human participant's behavior that occurs when an individual can reasonably expect that no observation or recording is taking place, and information which has been provided for specific purposes by the human participant which the participant can reasonably expect will not be made public (for example, a medical record). Private information must be individually identifiable (i.e., the identity of the human participant is or may readily be ascertained by the investigator or associated with the information) in order for obtaining the information to constitute research involving human participants.

"Research" means a systematic investigation, including research development, testing, and evaluation, designed to develop or contribute to general knowledge. Activities which meet this definition constitute research for purposes of this chapter, whether or not they are supported or funded under a program which is considered research for other purposes. For example, some "demonstration" and "service" programs may include research activities.

"Research investigator" means the person, whether professional or student, who conducts the research.

"Sheltered workshop" means a facility-based community rehabilitation program that provides directly or facilitates the provision of one or more of the following vocational rehabilitation services to individuals with disabilities to enable them to maximize their opportunities for employment, including career advancement:

1. Medical, psychiatric, psychological, social, and vocational services that are provided under one management;
2. Testing, fitting, or training in the use of prosthetic and orthotic devices;
3. Recreational therapy;
4. Physical and occupational therapy;
5. Speech, language, and hearing therapy;
6. Psychiatric, psychological, and social services, including positive behavior management;
7. Assessment for determining eligibility and vocational rehabilitation needs;
8. Rehabilitation technology;
9. Job development, placement, and retention services;
10. Evaluation or control of specific disabilities;
11. Orientation and mobility services for individuals who are blind;
12. Extended employment;
13. Psycho-social rehabilitation services;
14. Supported employment services and extended services;
15. Services to family members when necessary to the vocational rehabilitation of the individual;
16. Personal assistance services; or

17. Services similar to the services described in subdivisions 1 through 16.

"Voluntary informed consent" means the knowing, written consent of an individual, or the individual's legally authorized representative, so situated as to be able to exercise free power of choice without undue inducement or any element of force, fraud, deceit, duress or other form of constraint or coercion. With regard to the conduct of human research, the basic elements of information necessary to such consent shall include in writing:

1. A statement that the study involves research, and a reasonable and comprehensible explanation to the human participant of the procedures that the researcher will follow and their purposes, including identification of any procedures which are experimental; the expected duration of the human participant's participation; and a statement describing the extent, if any, to which confidentiality of records identifying the participant will be maintained, and if any data from this study are published, the individual will not be identified without his written permission;
2. A description of any attendant discomforts and risks to the human participant which may reasonably be expected and a statement that there may be other risks not yet identified;
3. A description of any benefits to the human participant or to others which may reasonably be expected;
4. A disclosure of any appropriate alternative procedures or therapies that might be advantageous for the human participant;
5. An offer to answer and answers to any inquiries by any individual concerning the procedure;
6. A statement that participation is voluntary, refusal to participate will involve no penalty or loss of benefits to which the human participant is otherwise entitled, and the human participant may discontinue participation at any time without penalty or loss of benefits to which he is otherwise entitled;
7. An explanation of who to contact for answers to pertinent questions about the research and human research participants' rights, and who to contact in the event of a research related injury;
8. For research involving more than minimal risk, an explanation as to whether any compensation or medical care is available if injury occurs and, if so, what it consists of or where further information may be obtained; and
9. An explanation of any costs or compensation which may accrue to the person and, if applicable, the availability of third party reimbursement for the proposed procedures or protocols.

**22 VAC 30-40-70. Elements of each committee's review process.**

A. No human research shall be conducted or authorized by the Department of Rehabilitative Services, any independent living center, any sheltered workshop, or the Woodrow Wilson Rehabilitation Center unless the committee has reviewed and

approved the proposed human research project giving consideration to:

1. The adequacy of the description of the potential benefits and risks involved and the adequacy of the methodology of the research;
2. The degree of the risk, and, if the research is nontherapeutic, whether it presents greater than minimal risk;
3. Whether the rights and welfare of the participants are adequately protected;
4. Whether the risks to the participants are outweighed by the potential benefits to them;
5. Whether the voluntary informed consent is to be obtained by methods that adequately and appropriately fulfill the requirements of these regulations and whether the written consent form is adequate and appropriate in both content and language for the particular research and for the particular participants of the research;
6. Whether the research investigators proposing to supervise or conduct the particular human research are appropriately competent and qualified;
7. Whether criteria for selection of participants are equitable, especially in research regarding the future development of mental or physical illness;
8. Whether the research conforms with such other requirements as the ~~board~~ department may establish; and
9. Whether appropriate studies in nonhuman systems have been conducted prior to the involvement of human participants.

B. The committee shall review, at least annually, approved projects to ensure conformity with the approved proposal.

C. Research must be approved by the committee which has jurisdiction over the participant. When cooperating institutions conduct some or all of the research involving some or all of the participants, each cooperating institution is responsible for safeguarding the rights and welfare of human participants and for complying with this chapter, except that in complying with this chapter institutions may enter into joint review, rely upon the review of another qualified committee, or make similar arrangements aimed at avoiding duplication of effort. The committee chairperson may make such arrangements with the approval of a majority of the members present at a meeting of the committee.

D. The committee shall consider research proposals within 45 days after submission to the committee's chairman. In order for the research to be approved, it shall receive the approval of a majority of those members present at a meeting in which a quorum exists. A committee shall notify research investigators and the institution in writing of its decision to approve or disapprove the proposed research activity, or of modifications required to secure committee approval.

E. The committee shall develop a written description of the procedure to be followed by a human participant who has a

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complaint about a research project in which he is participating or has participated.

F. Any participant who has a complaint about a research project in which he is participating or has participated shall be referred to the chairperson of the committee who shall refer it to the committee to determine if there has been a violation of the protocol.

G. The committee shall require periodic reports. The frequency of such reports should reflect the nature and degree of risk of each research project.

**22 VAC 30-40-130. Role of the department, ~~commissioner,~~ and the ~~board~~ commissioner.**

A. The commissioner shall establish and maintain records of institutional assurances, annual reports, and summary descriptions of research projects ~~to be reviewed by the board.~~

B. The commissioner shall review communications from committees reporting violations of research protocols which led to suspension or termination of the research to ensure that appropriate steps have been taken for the protection of the rights of human research participants. ~~The board shall be kept informed of all reviews of violations of research protocol.~~

C. The commissioner shall arrange for the printing and dissemination of copies of these regulations.

**22 VAC 30-40-140. Applicability of state policies.**

Nothing in this chapter shall be construed as limiting in any way the rights of participants in research under regulations promulgated ~~by the board~~ in response to §§ 32.1-162.19 and 37.1-84.1 of the Code of Virginia.

**22 VAC 30-40-150. Applicability of federal policies.**

Human research at institutions which is subject to policies and regulations for the protection of human participants promulgated by any agency of the federal government shall be exempt from this chapter. Such institutions shall notify the commissioner ~~and the board~~ annually of their compliance with the policies and regulations of federal agencies.

VA.R. Doc. No. R05-167; Filed March 28, 2005, 9:50 a.m.



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# EMERGENCY REGULATIONS

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## TITLE 4. CONSERVATION AND NATURAL RESOURCES

### MARINE RESOURCES COMMISSION

Title of Regulation: **4 VAC 20-170. Pertaining to the Removal of Nets from Fixed Fishing Devices (amending 4 VAC 20-170-10 and 4 VAC 20-170-30).**

Statutory Authority: §§ 28.2-201 and 28.2-210 of the Code of Virginia.

Effective Dates: April 1, 2005 through April 30, 2005.

Agency Contact: Deborah Cawthon, Agency Regulatory Coordinator, Marine Resources Commission, 2600 Washington Avenue, 3rd Floor, Newport News, VA 23607, telephone (757) 247-2248, FAX (757) 247-2002 or e-mail debbie.cawthon@mrc.virginia.gov.

Summary:

*The emergency regulation provides for the timely removal of nets and limits the time that a gill net may be unattended (fish or remove) to a 24-hour period in coastal waters and defines various penalties associated with any violation of this chapter.*

**4 VAC 20-170-10. Purpose.**

The ~~purpose~~ purposes of this chapter ~~is~~ are (i) to prevent waste and provide for the conservation of fisheries resources by preventing ghost fishing by unattended nets; and (ii) conserve and protect bottlenose dolphin and sea turtle stocks within Virginia waters.

**4 VAC 20-170-30. Violation.**

A. If, upon visual observation, any marine ~~patrol~~ police officer determines that a device or net, other than a staked gill net set west of the COLREGS Line and north of the North Carolina-Virginia border and south of the Maryland-Virginia border, in Virginia waters, has not been fished for at least a five-day period, he shall notify the licensee, and if the licensee fails to fish said device or remove the net within seven days after notification the licensee shall be guilty of violation of this chapter.

B. If, upon visual observation, any marine ~~patrol~~ police officer determines that any staked gill net has not been fished for at least a 24-hour period, he shall notify the licensee, and if the licensee fails to fish the staked gill net or remove the net within 24 hours after notification the licensee shall be guilty of a violation of this chapter.

C. If, upon visual observation, any marine police officer determines that any gill net, set in Virginia waters east of the COLREGS Line and north of the North Carolina-Virginia border and south of the Maryland-Virginia border, has not been fished for at least a 24-hour period, he shall notify the licensee, and if the licensee fails to fish the gill net or remove the net within 24 hours after notification the licensee shall be guilty of a violation of this chapter.

VA.R. Doc. No. R05-165; Filed March 25, 2005, 12:18 p.m.

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Title of Regulation: **4 VAC 20-252. Pertaining to the Taking of Striped Bass (adding 4 VAC 20-252-135).**

Statutory Authority: §§ 28.2-201, 28.2-204.1 and 28.2-210 of the Code of Virginia.

Effective Dates: April 1, 2005, through April 30, 2005.

Agency Contact: Deborah Cawthon, Agency Regulatory Coordinator, Marine Resources Commission, 2600 Washington Avenue, 3rd Floor, Newport News, VA 23607, telephone (757) 247-2248, FAX (757) 247-2002 or e-mail debbie.cawthon@mrc.virginia.gov.

Summary:

*The provisions of this emergency regulation are intended to comply with all federal and interstate requirements for fishing for striped bass. This emergency regulation also authorizes the aquaculture of striped bass and hybrid striped bass and sets forth the conditions required for their culture.*

**4 VAC-20-252-135. Gill net mesh size and tending restrictions: exemptions.**

A. Any registered commercial fisherman who is permitted to harvest striped bass from the coastal area in accordance with 4 VAC 20-252-130 C, and sets or fishes any gill net in the coastal area, shall be exempt from the maximum gill net mesh size requirements during November and December as described in 4 VAC 20-430-65 A and B.

B. Any registered commercial fisherman who is permitted to harvest striped bass from the coastal area in accordance with 4 VAC 20-252-130 C, and sets or fishes any gill net seven inches or greater in stretched mesh in the coastal area, shall be exempt from the tending requirements described in 4 VAC 20-430-65 E and F during the months of November and December.

VA.R. Doc. No. R05-161; Filed March 25, 2005, 12:18 p.m.

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Title of Regulation: **4 VAC 20-320. Pertaining to the Taking of Black Drum (amending 4 VAC 20-320-20; adding 4 VAC 20-320-65).**

Statutory Authority: §§ 28.2-201, 28.2-204.1 and 28.2-210 of the Code of Virginia.

Effective Dates: April 1, 2005, through April 30, 2005.

Agency Contact: Deborah Cawthon, Agency Regulatory Coordinator, Marine Resources Commission, 2600 Washington Avenue, 3rd Floor, Newport News, VA 23607, telephone (757) 247-2248, FAX (757) 247-2002 or e-mail debbie.cawthon@mrc.virginia.gov.

Summary:

*The amendments add definitions of COLREGS Lines and Floating Gill Net and add a section that sets out gill net mesh size and restrictions on harvesting black drum.*

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# Emergency Regulations

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## 4 VAC 20-320-20. Definitions.

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

"Black Drum" means any fish of the species *Pogonias cromis*.

"COLREGS Line" means the COLREGS Demarcation Lines, as specified in Coastal Pilot, 35th and 36th editions by Lighthouse Press.

"Commercial Harvest" means any black drum taken from the tidal waters of Virginia by any harvesting method, including hook-and-line, and sold.

"Floating Gill Net" means any gill net that is suspended from the water surface and extends to a depth no more than midway between the water surface and bottom.

## 4 VAC 20-320-65. Gill net mesh size and tending restrictions: exemptions.

A. Any registered commercial fisherman who is permitted to harvest black drum, in accordance with 4 VAC 20-320-70 A, and sets or fishes any gill net east of the COLREGS Line and north of the North Carolina-Virginia border and south of the Maryland-Virginia border, in Virginia waters, shall be exempt from the maximum gill net mesh size described in 4 VAC 20-430-65 A and B, during the months of April, May and June, provided that the fisherman sets and fishes only floating gill nets.

B. Any registered commercial fisherman who is permitted to harvest black drum, in accordance with 4 VAC 20-320-70 A, and sets or fishes any gill net, east of the COLREGS Line and north of the North Carolina-Virginia border and south of the Maryland-Virginia border, in Virginia waters, shall be exempt from the tending requirements described in 4 VAC 20-430-65 C and D, during the month of June, provided that the fisherman sets and fishes floating gill nets.

VA.R. Doc. No. R05-162; Filed March 25, 2005, 12:19 p.m.

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**Title of Regulation:** 4 VAC 20-430. Pertaining to the Marking and Minimum Mesh Size of Gill Nets (amending 4 VAC 20-430-10 and 4 VAC 20-430-15; adding 4 VAC 20-430-65).

**Statutory Authority:** §§ 28.2-201, 28.2-210 and 28.2-236 of the Code of Virginia.

**Effective Dates:** April 1, 2005 through April 30, 2005.

**Agency Contact:** Deborah Cawthon, Agency Regulatory Coordinator, Marine Resources Commission, 2600 Washington Avenue, 3rd Floor, Newport News, VA 23607, telephone (757) 247-2248, FAX (757) 247-2002 or e-mail debbie.cawthon@mrc.virginia.gov.

### Summary:

This emergency regulation (i) establishes marking requirements for gill nets to increase their visibility and identification; (ii) establishes various minimum and maximum mesh sizes and tending requirements for gill nets to aid in the conservation of fish, sea turtle and bottlenose

dolphin stocks; and (iii) incorporates the definition of COLREGS Line as specified in Coastal Pilot, 35th and 36th editions by Lighthouse Press.

## 4 VAC 20-430-10. Purpose.

The purpose of this emergency chapter is to minimize gear conflicts between gill net fishermen and conflicts with recreational boaters caused by poor visibility of gill nets, and to conserve stocks of fish by establishing a minimum mesh size for gill nets, and conserve and protect sea turtles and bottlenose dolphins by establishing maximum mesh sizes for gill nets.

## 4 VAC 20-430-15. Definitions.

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

"COLREGS Line" means the COLREGS Demarcation lines, as specified in Coastal Pilot, 35th and 36th editions by Lighthouse Press.

"River herring" means any fish of the species *Alosa aestivalis* or *Alosa pseudoharengus*.

## 4 VAC 20-430-65. Maximum mesh size and tending requirements.

A. It shall be unlawful for any person to place, set or fish any gill net with a stretched mesh of greater than or equal to 7 inches, in Virginia waters, east of the COLREGS Line and north of the North Carolina-Virginia border and south of Wachapreague Inlet (37°34.6' N), from April 1 through January 14, except as described in 4 VAC 20-320-65 and 4 VAC 20-252-135.

B. It shall be unlawful for any person to place, set or fish any gill net with a stretched mesh of greater than or equal to 7 inches, in Virginia waters, east of the COLREGS Line and north of Wachapreague Inlet (37°34.6' N) and south of Chincoteague (37°56.0'), from April 16 through January 14, except as described in 4 VAC 20-320-65 and 4 VAC 20-252-135.

C. It shall be unlawful for any person to place, set or fish any anchored gill net with a stretched mesh of greater than or equal to 7 inches, east of the COLREGS Line and north of the North Carolina-Virginia border and south of the Maryland-Virginia border, in Virginia waters, from sunset to sunrise during June 1 through October 31, unless that fisherman remains within 0.5 nautical miles of the closest portion of each anchored gill net, except as described in 4 VAC 20-320-65.

D. Any anchored gill net, with a stretched mesh of greater than or equal to 7 inches, set east of the COLREGS Line and north of the North Carolina-Virginia border, in Virginia waters, and south of the Maryland-Virginia border and fished from sunset to sunrise during June 1 through October 31, must be brought back to port with the vessel, except as described in 4 VAC 20-320-65.

E. It shall be unlawful for any person to place, set or fish any gill net with a stretched mesh of greater than or equal to 7 inches, east of the COLREGS Line and north of the North Carolina-Virginia border and south of the Maryland-Virginia

border, in Virginia waters, from sunset to sunrise during November 1 through December 31, except as described in 4 VAC 20-252-135.

F. Any gill net, with a stretched mesh of greater than or equal to 7 inches, set east of the COLREGS Line and north of the North Carolina-Virginia border and south of the Maryland-Virginia border, in Virginia waters, and fished from sunset to sunrise during November 1 through December 31, must be brought back to port with the vessel, except as described in 4 VAC 20-252-135.

G. Mesh measurement is defined as the inside stretched distance between two knots on opposite sides of the same mesh.

VA.R. Doc. No. R05-163; Filed March 25, 2005, 12:17 p.m.

\* \* \* \* \*

**Title of Regulation:** 4 VAC 20-1080. Pertaining to Monkfish (Goosefish) (adding 4 VAC 20-1080-10 through 4 VAC 20-1080-50).

**Statutory Authority:** §§ 28.2-201 and 28.2-210 of the Code of Virginia.

**Effective Dates:** April 1, 2005, through April 30, 2005.

**Agency Contact:** Deborah Cawthon, Agency Regulatory Coordinator, Marine Resources Commission, 2600 Washington Avenue, 3rd Floor, Newport News, VA 23607, telephone (757) 247-2248, FAX (757) 247-2002 or e-mail [debbie.cawthon@mrc.virginia.gov](mailto:debbie.cawthon@mrc.virginia.gov).

**Summary:**

*The purpose of the emergency amendment is to conserve and protect sea turtle stocks in Virginia waters. The regulation defines (i) the terms COLREGS Line, Monkfish, and Tie-down; (ii) possession criteria for harvest of Monkfish in Virginia waters, unless an applicable Federal Fisheries Permit is held by that fisherman, and (iii) gear restrictions. This restriction prohibits any commercial waterman from using tie-downs in any gill net set or fished east of the COLREGS Line from May 1 through December 31.*

**4 VAC 20-1080-10. Purpose.**

*The purpose of this chapter is to conserve and protect sea turtle stocks in Virginia waters.*

**4 VAC 20-1080-20. Definitions.**

*The following words and terms, when used in this chapter, shall have the following meaning unless the context clearly indicates otherwise.*

*"COLREGS Line" means the COLREGS Demarcation Lines, as specified in Coastal Pilot, 35th and 36th editions by Lighthouse Press.*

*"Monkfish (Goosefish)" means any goosefish of the species *Lophius americanus*.*

*"Tie-down" means a short length of twine or other similar material, with one end tied to the bottom line of a gill net and*

*the other end tied to the top line of the gill net to create a loose webbing or pocket in the net.*

**4 VAC 20-1080-30. Harvest and landing limitations.**

A. *It shall be unlawful for any person to take, harvest, or possess any amount of Monkfish, in Virginia waters, that exceeds 50 pounds of tails or 166 pounds of whole fish.*

B. *It shall be unlawful for any vessel to land any amount of Monkfish in Virginia that exceeds 50 pounds of tails or 166 pounds of whole fish, unless that vessel holds an applicable Federal Fisheries Permit that authorizes harvest and possession of Monkfish.*

**4 VAC 20-1080-40. Gear restrictions.**

*It shall be unlawful for any person to use tie-downs in any gill net set or fished east of the COLREGS Line and north of the North Carolina-Virginia border and south of the Maryland-Virginia border, in Virginia waters, from May 1 through December 31.*

**4 VAC 20-1080-50. Penalty.**

*As set forth in § 28.2-903 of the Code of Virginia, any person violating any provision of this regulation shall be guilty of a Class 3 misdemeanor, and a second or subsequent violation of any provision of this regulation committed by the same person within twelve months of a prior violation is a Class 1 misdemeanor.*

VA.R. Doc. No. R05-166; Filed March 25, 2005, 12:20 p.m.

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## GUIDANCE DOCUMENTS

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Sections 2.2-4008 and 2.2-4103 of the Code of Virginia require annual publication in the *Virginia Register* of guidance document lists from state agencies covered by the Administrative Process Act and the Virginia Register Act. A guidance document is defined as "...any document developed by a state agency or staff that provides information or guidance of general applicability to the staff or public to interpret or implement statutes or the agency's rules or regulations..." Agencies are required to maintain a complete, current list of all guidance documents and make the full text of such documents available to the public.

Generally, the format for the guidance document list is: document number (if any), title of document, date issued or last revised, and citation of Virginia Administrative Code regulatory authority or Code of Virginia statutory authority. Questions concerning documents or requests for copies of documents should be directed to the contact person listed by the agency.

### **VIRGINIA COMMUNITY COLLEGE SYSTEM**

Copies of the following document may be viewed during regular work days from 8 a.m. until 4:30 p.m. in the office of the Virginia Community College System, James Monroe Building, 101 N. 14th Street, 15th Floor, Richmond, Virginia 23219. Copies may be obtained by contacting Ms. Sharon Hutcheson at the same address, telephone (804) 819-4961, FAX (804) 819-4768 or e-mail [shutcheson@vccs.edu](mailto:shutcheson@vccs.edu). The document may be downloaded from the Virginia Community College System home page (<http://www.vccs.edu>).

Questions regarding interpretation or implementation of this document may be directed to Dr. Glenn DuBois, Chancellor, Virginia Community College System, 101 N. 14th St., 15th Floor, Richmond, VA 23219, telephone (804) 819-4903, FAX (804) 819-4760, or e-mail [gdubois@vccs.edu](mailto:gdubois@vccs.edu).

#### **Guidance Document:**

Virginia Community College System Policy Manual, (approximately 327 pages), revised Nov. 18, 2004, §§ 23-192 through 23-213, \$25.



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# GENERAL NOTICES/ERRATA

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## STATE CORPORATION COMMISSION

March 25, 2005

### ADMINISTRATIVE LETTER 2005-5

TO: All Insurers Licensed to Write Accident and Sickness Insurance in Virginia, and all Health Services Plans and Health Maintenance Organizations Licensed in Virginia

RE: 14 VAC 5-190-10 et seq.: Rules Governing the Reporting of Cost and Utilization Data Relating to Mandated Benefits and Mandated Providers - 2004 Reporting Period

The purpose of this Administrative Letter is to assist carriers in the preparation of the Annual Report of Cost and Utilization Data relating to Mandated Benefits and Providers required pursuant to 14 VAC 5-190-10 et seq. and § 38.2-3419.1 of the Code of Virginia, and to remind all affected carriers of the reporting requirements applicable to mandated benefits and providers for the 2004 reporting year. Each affected carrier must submit a report and it must be in the format prescribed for Form MB-1. It is not acceptable to submit more than one Form MB-1 for a single carrier or to consolidate information from different carriers on one form. The completed Form MB-1 (cover sheet and sections) is due on or before May 1, 2005 and may be submitted electronically. The instructions, representative CPT and ICD-9-CD codes and forms for the 2004 reporting period are available on the Bureau of Insurance's website at:

<http://www.scc.virginia.gov/division/boi/webpages/boimandatedforms.htm>

Carriers should refer to 14 VAC 5-190-40 for an explanation of the circumstances under which a full and complete or an abbreviated report must be filed, or under which a company may be exempt from filing a report. The Virginia total annual written premium for all accident and sickness policies or contracts referred to in this section is the amount reported to the Commission on the company's Annual Statement for the year ending December 31, 2004. This is the amount used to determine if a report is required.

The instructions explain the type of information necessary to complete Form MB-1, and serve to highlight frequent errors and omissions. All sources of information, including 14 VAC 5-190-10 et seq., §§ 38.2-3408 through 38.2-3418.14, as applicable, § 38.2-4221, and CPT and ICD-9-CM codes should be consulted in the preparation of this report. Please note that the CPT and ICD-9-CM codes are not intended to exhaust all medical codes that may be used in collecting data for Form MB-1, but are representative of some of the more common codes associated with the mandated benefits.

Correspondence regarding reporting requirements should be directed to Mary Ann Mason, Senior Insurance Market Examiner, Forms and Rates Section, Bureau of Insurance - Life and Health Division, P.O. Box 1157, Richmond, VA 23218, telephone (804) 371-9348, FAX (804) 371-9944. System related questions or problems should be directed to Robbie Wright, Microcomputer Systems Analyst, Bureau of Insurance - Life and Health Division, P.O. Box 1157,

Richmond, VA 23218, telephone (804) 371-9992, FAX (804) 225-5797.

Carriers are reminded that failure to submit a substantially complete and accurate report pursuant to the provisions of 14 VAC 5-190-10 et seq. by May 1, 2005, may be considered a violation subject to a penalty as set forth in § 38.2-218 of the Code of Virginia. Lack of notice, lack of information, lack of means of producing the required data, or other such reasons will not be accepted for not submitting a complete and accurate report in a timely manner.

/s/ Alfred W. Gross  
Commissioner of Insurance

## STATE LOTTERY DEPARTMENT

### Director's Orders

The following Director's Orders of the State Lottery Department were filed with the Virginia Registrar of Regulations on March 23, 2005, and March 29, 2005. The orders may be viewed at the State Lottery Department, 900 E. Main Street, Richmond, Virginia, or at the office of the Registrar of Regulations, 910 Capitol Street, 2nd Floor, Richmond, Virginia.

Retailer Incentive Program Rules:

Director's Order Number Fifteen (05)

Virginia Lottery Retailer Incentive Program Rules, "Hot Hot Hot" (effective 4/25/05 - 6/19/05)

Director's Order Number Twenty-One (05)

Virginia Lottery Retailer Incentive Program Rules, "Race to the Finish" (effective 4/1/05 - 6/30/05)

Final Rules for Game Operation:

Director's Order Number Seventeen (05)

Virginia's Instant Game Lottery 269; "Triple Cash" (effective 3/23/05)

Director's Order Number Eighteen (05)

Virginia's Instant Game Lottery 646; "Triple Tripler" (effective 3/23/05)

Director's Order Number Nineteen (05)

Virginia's Instant Game Lottery 283; "Jacks in the Box" (effective 3/23/05)

Director's Order Number Twenty (05)

Virginia's Instant Game Lottery 651; "Magnificent 7's" (effective 3/23/05)

## DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

### Notice of Intent to Modify Pharmacy Services Reimbursement: Increase Pharmacy Dispensing Fee for Generics to \$4.00

Notice is hereby given that the Department of Medical Assistance Services (DMAS) intends to increase the dispensing fee paid for generic drugs from \$3.75 to \$4.00,

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## General Notices/Errata

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pursuant to the department's authority under Title XIX of the Social Security Act. This notice is intended to satisfy the requirements of 42 CFR 447.205 and of § 1902 (a) (13) of the Social Security Act, 42 USC § 1396 a (a) (13). DMAS intends to increase the dispensing fee paid by Medicaid for the dispensing of generic drug products by pharmacy providers. This change is in response to a very specific mandate from the 2004 General Assembly in the Appropriation Act, Item 326 MMM, which requires the Department of Medical Assistance Services to raise the dispensing fee for generic prescription drugs from \$3.75 to \$4.00.

A copy of this notice is available for public review from Bryan Tomlinson, Director, Health Care Services Division, Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, VA 23219, and this notice is available for public review on the regulatory Town Hall ([townhall.virginia.gov](http://townhall.virginia.gov)). Comments or inquiries may be submitted in writing within 30 days of this notice publication to Mr. Tomlinson and such comments are available for review at the same address.

### BOARD OF PHARMACY

#### Notice of Periodic Review of Regulations

The Board of Pharmacy within the Department of Health Professions is conducting a periodic review of its regulations for collaborative practice agreements between pharmacists and physicians.

The board is receiving comment on whether there is a need for amendments for consistency with changes in practice and patient care of 18 VAC 110-40, Regulations for Collaborative Practice Agreements.

If any member of the public would like to comment on these regulations, please send comments by May 18, 2005, to Elaine J. Yeatts, Agency Regulatory Coordinator, Department of Health Professions, 6603 West Broad Street, Richmond, VA 23230-1712. Comments may also be e-mailed to [elaine.yeatts@dhp.virginia.gov](mailto:elaine.yeatts@dhp.virginia.gov) or faxed to (804) 662-9114. Regulations for collaborative practice may be viewed on-line at [www.townhall.virginia.gov](http://www.townhall.virginia.gov) or [www.dhp.virginia.gov](http://www.dhp.virginia.gov) or copies will be sent upon request.

### STATE WATER CONTROL BOARD

#### Approval of Four Total Maximum Daily Load (TMDL) Implementation Plans

Notice is hereby given that the State Water Control Board (board) is seeking comment on the approval of four total maximum daily load (TMDL) implementation plans and authorization to include the four TMDL implementation plans in the appropriate Water Quality Management Plan. All TMDLs addressed by these implementation plans have been previously approved by EPA and the board.

The purpose of this action is to approve four total maximum daily load implementation plans addressing 10 bacteria

TMDLs and two sediment TMDLs as the plans for the pollutant reductions necessary for attainment of water quality goals in several impaired waterbodies. These actions are taken in accordance with the Public Participation Procedures for Water Quality Management Planning.

The TMDL implementation plans listed below have been developed in accordance with the 1997 Water Quality Monitoring, Information and Restoration Act (WQMIRA, §§ 62.1-44.19:4 through 62.1-44.19:8 of the Code of Virginia) and federal recommendations. The TMDL implementation plans were developed in accordance with DEQ's Public Participation Procedures for Water Quality Management Planning. Extensive public participation was solicited during the development of the plans, and the public comment process provided the affected stakeholders with opportunities for comment on the proposed plans. The final TMDL implementation plans can be found at <http://www.deq.state.va.us/tmdl/iprpts.html>.

DEQ staff intends to recommend (i) that the board approve the four TMDL implementation plans, and (ii) that the board authorize inclusion of the TMDL implementation plans in the appropriate Water Quality Management Plan. No regulatory amendments are required for these TMDL implementation plans.

In the Potomac-Shenandoah River Basin:

"Catoctin Creek Water Quality Implementation Plan (Fecal Coliform TMDLs)"

1. Upper South Fork Catoctin Creek bacteria TMDL implementation plan, Loudoun County
2. Lower South Fork Catoctin Creek bacteria TMDL implementation plan, Loudoun County
3. North Fork Catoctin Creek bacteria TMDL implementation plan, Loudoun County
4. Catoctin Creek bacteria TMDL implementation plan, Loudoun County

"Holman's Creek Watershed Restoration Plan [Benthic and Fecal Bacteria TMDLs]"

5. Holman's Creek bacteria TMDL implementation plan, Rockingham and Shenandoah Counties
6. Holman's Creek sediment (benthic) TMDL implementation plan, Rockingham and Shenandoah Counties

In the James River Basin:

"Moore's Creek Fecal Coliform TMDL Implementation Plan"

7. Moore's Creek bacteria TMDL implementation plan, Albemarle County

In the Tennessee-Big Sandy River Basin:

"The Guest River Total Maximum Daily Load Implementation Plan"

8. Guest River sediment (benthic) TMDL implementation plan, Wise, Scott and Dickenson Counties

9. Sepulcher Creek bacteria TMDL implementation plan, Wise, Scott and Dickenson Counties

10. Toms Creek bacteria TMDL implementation plan, Wise, Scott and Dickenson Counties

11. Little Toms Creek bacteria TMDL implementation plan, Wise, Scott and Dickenson Counties

12. Crab Orchard Branch bacteria TMDL implementation plan, Wise, Scott and Dickenson Counties

Public Participation: The board is seeking comments on the intended approval of four total maximum daily load implementation plans. Anyone wishing to submit written comments may do so by mail or by e-mail to Jutta Schneider at the address given below. Written comments must include the name and address of the commenter and must be received no later than 4 p.m. on May 18, 2005.

Contact: Additional information is available on the Department of Environmental Quality web site at <http://www.deq.virginia.gov/tmdl/> or contact Jutta Schneider, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, or telephone (804) 698-4099, or e-mail at [jschneider@deq.virginia.gov](mailto:jschneider@deq.virginia.gov).

A copy of the full text of these procedures is available electronically at:

<http://www.deq.virginia.gov/tmdl/pn/tmdlipapproval405>.

The electronic copy is in PDF format and may be read online or downloaded. Also, hard copies are available upon request.

### **Approval of Nine Total Maximum Daily Load (TMDL) Reports**

Notice is hereby given that the State Water Control Board (board) is seeking comment on the approval of nine total maximum daily load (TMDL) reports and authorization to include the nine TMDL reports in the appropriate Water Quality Management Plan.

The purpose of this action is to approve nine Total Maximum Daily Load reports containing 29 bacteria TMDLs as the plans for the pollutant reductions necessary for attainment of water quality goals in several impaired waterbodies. These actions are taken in accordance with the Public Participation Procedures for Water Quality Management Planning.

At its December 2, 2004, meeting, the board voted unanimously to delegate to the DEQ director the authority to approve TMDLs that do not include waste load allocations requiring regulatory adoption by the board, provided that a summary report of the action the director plans to take is presented to the board prior to the director approving the TMDL reports. The TMDLs included in this public notice will be approved using this delegation of authority.

The TMDLs listed below have been developed in accordance with federal regulations (40 CFR 130.7) and are exempt from the provisions of Article II of the Virginia Administrative Process Act. The TMDLs have been through the TMDL public participation process contained in DEQ's Public Participation Procedures for Water Quality Management Planning. The

public comment process provides the affected stakeholders an opportunity for public appeal of the TMDLs. EPA approved all TMDL reports presented under this public notice. The approved reports can be found at

[http://gisweb.deq.virginia.gov/tmdlapp/tmdl\\_report\\_search.cfm](http://gisweb.deq.virginia.gov/tmdlapp/tmdl_report_search.cfm).

DEQ staff intends to recommend that (i) the director approve the nine TMDL reports as the plans for the pollutant reductions necessary for attainment of water quality goals in the impaired segments, and (ii) and that the director authorize inclusion of the TMDL reports in the appropriate Water Quality Management Plan. No regulatory amendments are required for these TMDLs and their associated waste load allocations. The nine TMDL reports and specific TMDLs affected by the proposed board actions are listed below:

In the Potomac-Shenandoah River Basin:

"Bacteria TMDLs for Abrams Creek and Upper and Lower Opequon Creek Located in Frederick and Clarke County, Virginia"

1. Abrams Creek bacteria TMDL, located in Frederick County, proposes bacteria reductions for portions of the watershed.
2. Lower Opequon Creek bacteria TMDL, located in Frederick and Clarke Counties, proposes bacteria reductions for portions of the watershed.
3. Upper Opequon Creek bacteria TMDL, located in Frederick and Clarke Counties, proposes bacteria reductions for portions of the watershed.

In the Rappahannock River Basin:

"Bacteria TMDL for Carter Run Fauquier County, Virginia"

4. Carter Run Bacterial TMDL, located in Fauquier County, proposes bacteria reductions for portions of the watershed.

"Bacteria TMDL for Great Run Fauquier County, Virginia"

5. Great Run bacterial TMDL, located in Fauquier County, proposes bacteria reductions for portions of the watershed.

In the James River Basin:

"Total Maximum Daily Load Development for the Appomattox River Basin"

6. Angola Creek bacteria TMDL (1) located in Cumberland County, proposes bacteria reductions for portions of the watershed.
7. Angola Creek bacteria TMDL (2), located in Cumberland County, proposes bacteria reductions for portions of the watershed.
8. Appomattox River bacteria TMDL (1), located in Prince George, Hopewell & Chesterfield Counties, proposes bacteria reductions for portions of the watershed.
9. Appomattox River bacteria TMDL (2), located in Prince George, Hopewell & Chesterfield Counties, proposes bacteria reductions for portions of the watershed.

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10. Appomattox River bacteria TMDL (3) - tidal, located in Prince George, Hopewell & Chesterfield Counties, proposes bacteria reductions for portions of the watershed.
11. Briery Creek bacteria TMDL, located in Prince Edward County, proposes bacteria reductions for portions of the watershed.
12. Bush River bacteria TMDL (1), located in Prince Edward County, proposes bacteria reductions for portions of the watershed.
13. Bush River bacteria TMDL (2), located in Prince Edward County, proposes bacteria reductions for portions of the watershed.
14. Deep Creek bacteria TMDL, located in Nottoway County, proposes bacteria reductions for portions of the watershed.
15. Flat Creek bacteria TMDL, located in Amelia County, proposes bacteria reductions for portions of the watershed.
16. Horsepen Creek bacteria TMDL, located in Cumberland County, proposes bacteria reductions for portions of the watershed.
17. Little Sandy Creek bacteria TMDL, located in Prince Edward County, proposes bacteria reductions for portions of the watershed.
18. Nibbs Creek bacteria TMDL located in Amelia County, proposes bacteria reductions for portions of the watershed.
19. Saylers Creek bacterial TMDL, located in Prince Edward and Amelia Counties, proposes bacteria reductions for portions of the watershed.
20. Spring Creek bacterial TMDL, located in Prince Edward County, proposes bacteria reductions for portions of the watershed.
21. Swift Creek bacterial TMDL (1), located in Chesterfield County, proposes bacteria reductions for portions of the watershed.
22. Swift Creek bacterial TMDL (2), located in Chesterfield County, proposes bacteria reductions for portions of the watershed.
23. Swift Creek bacterial TMDL (3), located in Chesterfield County, proposes bacteria reductions for portions of the watershed.
24. West Creek bacterial TMDL, located in Nottoway and Amelia Counties, proposes bacteria reductions for portions of the watershed.
- "Bacteria TMDL for Tuckahoe Creek, Little Tuckahoe Creek, Anderson, Broad, Georges and Readers Branches, and Deep Run Henrico, Goochland and Hanover Counties, Virginia"
25. Tuckahoe Creek bacterial TMDL, located in Henrico, Goochland and Hanover Counties, proposes bacteria reductions for portions of the watershed.
- "Bacteria TMDL for Fourmile Creek Henrico County, Virginia"
26. Fourmile Creek bacterial TMDL, located in Henrico County, proposes bacteria reductions for portions of the watershed.
- "Bacteria TMDL for White Oak Swamp Henrico County, Virginia"
27. White Oak Swamp bacterial TMDL, located in Henrico County, proposes bacteria reductions for portions of the watershed.
- In the York River Basin:
- "Bacteria TMDL for Matadequin Creek Hanover County, Virginia"
28. Matadequin Creek bacterial TMDL, located in Hanover County, proposes bacteria reductions for portions of the watershed.
- "Bacteria TMDL for Mechumps Creek Hanover County, Virginia"
29. Mechumps Creek bacterial TMDL, located in Hanover County, proposes bacteria reductions for portions of the watershed.
- Public Participation: The board is seeking comments on the intended approval of nine bacteria TMDL reports. Anyone wishing to submit written comments may do so by mail or by e-mail to Jutta Schneider at the address given below. Written comments must include the name and address of the commenter and must be received no later than 4 p.m. on May 18, 2005.
- Contact: Additional information is available on the Department of Environmental Quality web site at <http://www.deq.virginia.gov/tmdl/> or contact Jutta Schneider, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, or telephone (804) 698-4099, or e-mail at [jschneider@deq.virginia.gov](mailto:jschneider@deq.virginia.gov).
- A copy of the full text of these procedures is available electronically at:
- <http://www.deq.virginia.gov/tmdl/pn/tmdlapproval405>.
- The electronic copy is in PDF format and may be read online or downloaded. Also, hard copies are available upon request.

### **Water Quality Management Planning Regulation Amendment – Three Total Maximum Daily Load (TMDL) Waste Load Allocations**

Notice is hereby given that the State Water Control Board (board) in accordance with the Public Participation Procedures for Water Quality Management Planning is seeking comment on amending the regulation entitled: 9 VAC 25-720, Water Quality Management Planning Regulation. Statutory authority for promulgating these amendments can be found in § 62.1-44.15(10) of the Code of Virginia.

The purpose of the amendment to the state's Water Quality Management Planning Regulation (9 VAC 25-720) is to adopt three total maximum daily load (TMDL) waste load allocations contained in three TMDL reports. These TMDL reports have been developed in accordance with federal regulations (40

CFR 130.7) and are exempt from the provisions of Article II of the Virginia Administrative Process Act. These TMDL reports have been through the TMDL public participation process contained in DEQ's Public Participation Procedures for Water Quality Management Planning. The public comment process provides the affected stakeholders an opportunity for public appeal of the TMDLs. EPA approved all TMDLs presented under this public notice. The approved reports can be found at <http://www.deq.state.va.us/tmdl/>

DEQ staff intends to recommend (i) that the board approve the TMDL reports as the plans for the pollutant reductions necessary for attainment of water quality goals in the impaired segments, (ii) that the board authorize inclusion of the TMDL reports in the appropriate Water Quality Management Plan, and (iii) that the board adopt the three TMDL waste load allocations as part of the state's Water Quality Management Planning Regulation in accordance with §§ 2.2-4006 A 4 c and 2.2-4006 B of the Code of Virginia.

Specifically, staff will propose amendments of the state's Water Quality Management Planning regulation for the following river basins: Potomac-Shenandoah River Basin (9 VAC 25-720-50 A), and the New River Basin (9 VAC 25-720-130 A). The three TMDL reports and specific TMDLs affected by the proposed board actions are listed below:

In the Potomac-Shenandoah River Basin (9 VAC 25-720-50 A):

"Opequon Watershed TMDLs for Benthic Impairments: Abrams Creek and Lower Opequon Creek, Frederick and Clarke Counties, Virginia"

1. Abrams Creek benthic TMDL, located in Frederick County, proposes sediment reductions for portions of the watershed.
2. Lower Opequon Creek benthic TMDL, located in Frederick and Clarke Counties, proposes sediment reductions for portions of the watershed.

In the New River Basin (9 VAC 25-720-130 A):

"Total Maximum Daily Load (TMDL) Development for Hunting Camp Creek Aquatic Life Use (Benthic) and E. coli (Bacteria) Impairments"

3. Hunting Camp Creek benthic TMDL, located in Bland County, proposes sediment reductions for portions of the watershed.

To address a bacteria impairment, this TMDL report also proposes bacteria reductions for portions of the watershed. No regulatory amendments pertaining to these reductions are proposed.

Public Participation: The board is seeking comments on the intended amendments to the Water Quality Management Regulation and approval of the TMDL reports. Anyone wishing to submit written comments may do so by mail or by e-mail to Jutta Schneider at the address given below. Written comments must include the name and address of the commenter and must be received no later than 4 p.m. on May 18, 2005.

Contact: Additional information is available on the Department of Environmental Quality web site at <http://www.deq.virginia.gov/tmdl/> or contact Jutta Schneider, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, or telephone (804) 698-4099, or e-mail at [jschneider@deq.virginia.gov](mailto:jschneider@deq.virginia.gov).

A copy of the full text of these procedures is available electronically at:

<http://www.deq.virginia.gov/tmdl/pn/wlaadoption405.pdf>.

The electronic copy is in PDF format and may be read online or downloaded. Also, hard copies are available upon request.

## **Proposed Consent Special Order - Acres Development, L.L.C., - Taylor Ridge Subdivision**

The State Water Control Board proposes to enter into a consent special order with Acres Development, L.L.C. to resolve violations of the State Water Control Law and regulations at the Taylor Ridge subdivision in Fluvanna County, Virginia.

DEQ issued a Notice of Violation to Acres Development, L.L.C. for stream impacts resulting from construction activities which were outside the scope of those authorized under the Permit.

The proposed consent special order settles the outstanding Notice of Violation and contains a civil charge.

The board will receive written comments relating to the proposed consent special order for 30 days from the date of publication of this notice. Comments should be addressed to Steven W. Hetrick, Department of Environmental Quality, Post Office Box 3000, Harrisonburg, VA 22801, and should refer to the consent special order. Comments may also be submitted via electronic mail to [swhetrick@deq.state.va.us](mailto:swhetrick@deq.state.va.us). In order to be considered, electronic comments must be received prior to the close of the comment period and must include the name, address, and telephone number of the person making the comment.

The proposed order may be examined at the Department of Environmental Quality, Valley Regional Office, 4411 Early Road, Harrisonburg, VA 22801. A copy of the order may be obtained in person or by mail from this office.

## **Proposed Consent Special Order - Camp Overlook, Inc.**

The State Water Control Board proposes to enter into a consent special order with Camp Overlook, Inc., to resolve violations of the State Water Control Law and regulations at Camp Overlook's sewage treatment plant in Rockingham County. The facility discharges treated wastewater to Mountain Run in the Shenandoah River subbasin, Potomac River basin.

The Camp Overlook STP has experienced ammonia effluent limitation violations and improper reporting violations related to the operations of the plant.

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## General Notices/Errata

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The proposed consent special order settles the outstanding notices of violation and incorporates a schedule of compliance to ensure the proper operations of the STP.

The board will receive written comments relating to the proposed consent special order for 30 days from the date of publication of this notice. Comments should be addressed to Steven W. Hetrick, Department of Environmental Quality, Post Office Box 3000, Harrisonburg, VA 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, VA 22801. A copy of the order may be obtained in person or by mail from this office.

### **Proposed Consent Special Order - Curtis Hansen**

The State Water Control Board proposes to enter into a consent special order with Curtis Hansen. The parties have agreed to the terms of a consent special order for settlement of violations of State Water Control Law at a former underground storage tank (UST) facility.

Mr. Hansen owned a UST facility located at 601 North Royal Avenue in Front Royal, Warren County, Virginia, and previously stored petroleum in these USTs under the requirements of the state underground storage tank regulation. Based on an inspection of the facility and review of submitted UST closure documentation, the Department of Environmental Quality found Mr. Hansen to be in violation of the regulation and to be responsible for causing a petroleum release. The proposed order will require Mr. Hansen to implement a corrective action plan to remediate the release and will assess a civil charge in settlement of the violations.

The board will receive written comments relating to the proposed order for 30 days from the date of publication of this notice. Comments should be addressed to David C. Robinett, Department of Environmental Quality, P.O. Box 3000, Harrisonburg, VA 22801, and should refer to the order. The proposed order may be examined at the Department of Environmental Quality, Valley Regional Office, 4411 Early Road, Harrisonburg, VA. A copy of the order may be obtained in person or by mail from the DEQ office.

Comments may also be submitted via electronic mail to [dcrbinett@deq.virginia.gov](mailto:dcrbinett@deq.virginia.gov). In order to be considered, electronic comments must be received prior to the close of the comment period and must include the name, address and telephone number of the person making the comment.

### **Proposed Consent Special Order Amendment - Town of Middletown**

The State Water Control Board proposes to enter into a consent special order amendment with the Town of Middletown to resolve violations of the State Water Control Law and regulations at the Town of Middletown wastewater treatment plant in Frederick County, Virginia. The facility discharges to Meadow Brook Run in the Shenandoah River subbasin and the Potomac River basin.

The Department of Environmental Quality issued a Notice of Violation to Middletown for failure to comply with the requirements of the March 27, 2003, order to submit approvable plans and specifications for the facility upgrade/expansion and for failure to submit certain permit required reports.

The proposed consent special order amendment settles outstanding Notice of Violation and incorporates a revised schedule of compliance to upgrade the plant to ensure consistent compliance with all the permit requirements.

The board will receive written comments relating to the proposed consent special order for 30 days from the date of publication of this notice. Comments should be addressed to Steven W. Hetrick, Department of Environmental Quality, Post Office Box 3000, Harrisonburg, VA 22801, and should refer to the consent special order. Comments may also be submitted via electronic mail to [swhetrick@deq.state.va.us](mailto:swhetrick@deq.state.va.us). In order to be considered, electronic comments must be received prior to the close of the comment period and must include the name, address, and telephone number of the person making the comment.

The proposed order may be examined at the Department of Environmental Quality, Valley Regional Office, 4411 Early Road, Harrisonburg, VA 22801. A copy of the order may be obtained in person or by mail from this office.

### **Proposed Consent Special Order Amendment - Town of Stanley STP**

The State Water Control Board proposes to enter into an amendment to the consent special order (order) with the Town of Stanley (Stanley) to resolve violations of the State Water Control Law and regulations at the Stanley sewage treatment plant in Page County. The facility discharges treated wastewater to the South Fork of the Shenandoah River in the Shenandoah River subbasin, Potomac River basin.

Stanley has experienced BOD and TSS effluent limitation violations during February, April, May and July 2004. The town also failed to provide timely annual inflow and infiltration (I&I) progress reports as required by the 2002 order.

The proposed amendment to the consent special order settles the outstanding Notice of Violation and incorporates a schedule of compliance to address I&I problems and solids handling issues at the facility.

The board will receive written comments relating to the proposed consent special order for 30 days from the date of publication of this notice. Comments should be addressed to Steven W. Hetrick, Department of Environmental Quality, Post Office Box 3000, Harrisonburg, VA 22801, and should refer to the consent special order. Comments may also be submitted via electronic mail to [swhetrick@deq.virginia.gov](mailto:swhetrick@deq.virginia.gov). In order to be considered, electronic comments must be received prior to the close of the comment period and must include the name, address, and telephone number of the person making the comment.

The proposed order may be examined at the Department of Environmental Quality, Valley Regional Office, 4411 Early

Road, Harrisonburg, VA 22801. A copy of the order may be obtained in person or by mail from this office.

### **VIRGINIA CODE COMMISSION**

#### **Notice to State Agencies**

**Mailing Address:** Virginia Code Commission, 910 Capitol Street, General Assembly Building, 2nd Floor, Richmond, VA 23219, FAX (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://register.state.va.us>.

#### 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  
RESPONSE TO PETITION FOR RULEMAKING-RR13  
FAST-TRACK RULEMAKING ACTION-RR14

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# CALENDAR OF EVENTS

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## Symbol Key

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

♿ Location accessible to persons with disabilities

☎ 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. If you are unable to find a meeting notice for an organization in which you are interested, please check the Commonwealth Calendar at [www.vipnet.org](http://www.vipnet.org) or contact the organization directly.

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

### BOARD OF ACCOUNTANCY

**April 22, 2005 - 9 a.m.** -- Public Hearing

Department of Professional and Occupational Regulation, 3600 West Broad Street, Room 395, Richmond, Virginia.

**May 8, 2005** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board of Accountancy intends to amend regulations entitled **18 VAC 5-21, Board of Accountancy Regulations**. The purpose of the proposed action is to revise and clarify (i) qualifications for licensure including new language about the current computer-based CPA exam and (ii) continuing professional education (CPE) requirements for initial applicants and regulants in ethics.

Statutory Authority: §§ 54.1-4402 and 54.1-4410 of the Code of Virginia.

**Contact:** Nancy Taylor Feldman, Executive Director, Board of Accountancy, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8505, FAX (804) 367-2174 or e-mail [boa@boa.virginia.gov](mailto:boa@boa.virginia.gov).

**April 22, 2005 - 10 a.m.** -- Open Meeting

**June 29, 2005 - 10 a.m.** -- Open Meeting

Department of Professional and Occupational Regulation, 3600 West Broad Street, Room 395, Richmond, Virginia.♿ (Interpreter for the deaf provided upon request)

A meeting to discuss general business matters. A public comment period will be held at the beginning of the meeting. All meetings are subject to cancellation. The time of the meeting is subject to change. Any person desiring to attend the meeting and requiring special accommodations or interpreter services should contact the board at least 10 days prior to the meeting so suitable arrangements can be made. The board fully complies with the Americans with Disabilities Act.

**Contact:** Nancy Taylor Feldman, Executive Director, Board of Accountancy, 3600 W. Broad St., Suite 378, Richmond, VA 23230, telephone (804) 367-8505, FAX (804) 367-2174, (804) 367-9753/TTY☎, e-mail [boa@boa.virginia.gov](mailto:boa@boa.virginia.gov).

### COMMONWEALTH COUNCIL ON AGING

**May 19, 2005 - 10 a.m.** -- Open Meeting

Department for the Aging, 1610 Forest Avenue, Suite 100, Richmond, Virginia.♿ (Interpreter for the deaf provided upon request)

A regular business meeting. Public comments are welcome.

**Contact:** Marsha Mucha, Department for the Aging, 1610 Forest Ave., Suite 100, Richmond, VA 23229, telephone (804) 662-9312.

### DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

#### Consumer Affairs Advisory Committee

† **May 11, 2005 - 9:30 a.m.** -- Open Meeting

Department of Agriculture and Consumer Services, Washington Building, 1100 Bank Street, 2nd Floor, Board Room, Richmond, Virginia.♿ (Interpreter for the deaf provided upon request)

The advisory committee communicates the views and interests of Virginians on issues related to the Department of Agriculture and Consumer Services' consumer education and fraud prevention programs and their availability to citizens. A meeting to (i) review the consumer education outreach efforts for the past six months and (ii) assist with planning for similar efforts for the remainder of 2005. Members will entertain public comment at the conclusion of all other business for a period not to exceed 30 minutes. Any person who needs any accommodation in order to participate at the meeting should contact Evelyn A. Jez at least five days before the meeting date so that suitable arrangements can be made.



**Contact:** Evelyn A. Jez, Ph.D., Consumer Affairs Specialist, Department of Agriculture and Consumer Services, 1100 Bank St., Suite 1101, Richmond, VA, telephone (804) 786-1308, FAX (804) 786-5112, toll-free (800) 552-9963, (800) 828-1120/TTY ☎, e-mail penny.jez@vdacs.virginia.gov.

## Virginia Marine Products Board

**April 20, 2005 - 6 p.m.** -- Open Meeting

Bill's Seafood House, Corner of Denbigh Boulevard and Route 17, Grafton, Virginia. ♿

A meeting to (i) read and approve the minutes of the previous board meeting; (ii) report on finance, trade shows, festivals, industry tours, and calendar sales; and (iii) discuss cooperative programs with the Virginia Department of Agriculture and Consumer Services and croaker exports. 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 accommodation in order to participate at the meeting should contact Shirley Estes at least five days before the meeting date so that suitable arrangements can be made.

**Contact:** Shirley Estes, Executive Director, Department of Agriculture and Consumer Services, 554 Denbigh Blvd., Suite B, Newport News, VA 23608, telephone (757) 874-3474, FAX (757) 886-0671, e-mail Shirley.Estes@vdacs.virginia.gov.

## Virginia Pork Industry Board

† **April 22, 2005 - 3:30 p.m.** -- Open Meeting

Virginia Tech's Animal Science Department, Blacksburg, Virginia. ♿

A meeting to (i) review and approve the minutes from the previous meeting; (ii) review the board's financial statement; (iii) discuss the National Pork Forum issues and appoint committees for the spring work; and (iv) conduct general business of 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 accommodation in order to participate at the meeting should contact John H. Parker at least three days before the meeting date so that suitable arrangements can be made.

**Contact:** John H. Parker, Executive Director, Virginia Pork Industry Board, 1100 Bank St., 9th Floor, Richmond, VA 23219, telephone (804) 786-7092, FAX (804) 371-7786, e-mail john.park@vdacs.virginia.gov.

## STATE AIR POLLUTION CONTROL BOARD

**April 20, 2005 - 6:30 p.m.** -- Public Hearing

Paul D. Camp Community College, Regional Workforce Development Center, 100 North College Drive, Franklin, Virginia.

**May 5, 2005** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Air Pollution Control Board intends to adopt regulations entitled **9 VAC 5-230, Variance**

**for International Paper Franklin Paper Mill.** The purpose of the proposed action is to provide relief for the IP Franklin Paper Mill from the state regulations governing new source review and to establish sitewide emission caps for particulate matter (PM and PM<sub>10</sub>), sulfur dioxide, oxides of nitrogen, carbon monoxide, volatile organic compounds, total reduced sulfur, lead, sulfuric acid mists and fluorides. The sitewide emission caps would be used as alternative means of compliance with state regulations governing new source reviews (Article 4 of Chapter 50, and Articles 6, 8 and 9 of Chapter 80).

Statutory Authority: § 10.1-1307 of the Code of Virginia.

**Contact:** Robert Mann, Director of Air Regulatory Development, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4419, FAX (804) 698-4510, toll-free 1-800-592-5482 or e-mail ramann@deq.virginia.gov.

**April 20, 2005 - 7 p.m.** -- Public Hearing

Fredericksburg City Hall, 715 Princess Anne Street, City Council Chambers, Fredericksburg, Virginia. ♿

A public hearing on a proposed revision to the Commonwealth of Virginia State Implementation Plan. The hearing will be held to accept testimony concerning the proposed revision. The proposed revision consists of (i) an ozone air quality maintenance plan to reduce and maintain volatile organic compound (VOC) and nitrogen oxide (NO<sub>x</sub>) emissions in the Fredericksburg Ozone Nonattainment Area (Stafford County, Spotsylvania County, and the City of Fredericksburg) through the year 2015 such that they do not exceed the 2004 attainment year level; and (ii) the mobile emissions budget established by the plan for the year 2015 and beyond. The purpose of the maintenance plan is to ensure that emissions of VOC and NO<sub>x</sub> remain at or below levels that will enable the area to continue to meet the national air quality standard for ozone. The purpose of the mobile source budget is to provide for projected growth in mobile emissions beyond 2015 for transportation conformity purposes.

**Contact:** Doris A. McLeod, State Air Pollution Control Board, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4197, FAX (804) 698-4510, e-mail damcleod@deq.virginia.gov.

† **May 19, 2005 - 9 a.m.** -- Public Hearing

Department of Environmental Quality, 629 East Main Street, Richmond, Virginia. ♿

The Department of Environmental Quality will hold a public hearing on three proposed revisions to the Commonwealth of Virginia State Implementation Plan (SIP). The proposed revisions consist of amendments to existing regulation provisions concerning maintenance and nonattainment areas. The amendments consist of (i) Revision O97, geographical redefinition of maintenance areas to be consistent with the federal Clean Air Act and the redesignation of the Hampton Roads Ozone Nonattainment Area to maintenance for the one-hour ozone standard, adopted September 11, 1997, effective January 1, 1998; (ii) Revision R97, redesignation of the Richmond Ozone Nonattainment Area to maintenance for the one-hour ozone

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## Calendar of Events

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standard, adopted January 8, 1998, effective April 1, 1998; and (iii) Revision A98, removing the White Top Mountain Ozone Nonattainment Area, adopted September 17, 1998, effective January 1, 1999. The department is seeking comment on the issue of whether the regulation amendments should be submitted to the U.S. Environmental Protection Agency as a revision to the SIP.

**Contact:** Karen G. Sabasteanski, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4426, FAX (804) 698-4510, e-mail [kgsabastea@deq.virginia.gov](mailto:kgsabastea@deq.virginia.gov).

### ALCOHOLIC BEVERAGE CONTROL BOARD

**April 25, 2005 - 9 a.m.** -- Open Meeting

**May 9, 2005 - 9 a.m.** -- Open Meeting


**May 23, 2005 - 9 a.m.** -- Open Meeting

**June 6, 2005 - 9 a.m.** -- Open Meeting


**June 20, 2005 - 9 a.m.** -- Open Meeting

**† July 5, 2005 - 9 a.m.** -- Open Meeting

**† July 18, 2005 - 9 a.m.** -- Open Meeting


Department of Alcoholic Beverage Control, 2901 Hermitage Road, Richmond, Virginia. 

A meeting to receive and discuss reports and activities from staff members and to discuss other matters not yet determined.


**Contact:** W. Curtis Coleburn, III, Secretary to the Board, Department of Alcoholic Beverage Control, 2901 Hermitage Rd., Richmond, VA 23220, telephone (804) 213-4409, FAX (804) 213-4411, (804) 213-4687/TTY , e-mail [wccolen@abc.state.va.us](mailto:wccolen@abc.state.va.us).

### ALZHEIMER'S DISEASE AND RELATED DISORDERS COMMISSION

**June 7, 2005 - 10 a.m.** -- Open Meeting


Department for the Aging, 1610 Forest Avenue, Suite 100, Richmond, Virginia. 

A quarterly meeting.

**Contact:** Janet L. Honeycutt, Director of Grant Operations, Department for the Aging, 1610 Forest Ave., Suite 100, Richmond, VA 23229, telephone (804) 662-9333, FAX (804) 662-9354, toll-free (800) 552-3402, (804) 662-9333/TTY , e-mail [janet.honeycutt@vda.virginia.gov](mailto:janet.honeycutt@vda.virginia.gov).


### BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS, CERTIFIED INTERIOR DESIGNERS AND LANDSCAPE ARCHITECTS

**May 4, 2005 - 9 a.m.** -- Open Meeting


Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. 

A meeting of the Architects Section to conduct board business. The meeting is open to the public; however, a portion of the board's business may be discussed in closed


session. 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:** Mark N. Courtney, Executive Director, Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY , e-mail [APELSCIDLA@dpor.virginia.gov](mailto:APELSCIDLA@dpor.virginia.gov).


**May 10, 2005 - 9 a.m.** -- Open Meeting

Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. 


A meeting of the Professional Engineers Section to conduct board business. The meeting is open to the public; however, a portion of the board's business may be discussed in closed session. 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:** Mark N. Courtney, Executive Director, Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY , e-mail [APELSCIDLA@dpor.virginia.gov](mailto:APELSCIDLA@dpor.virginia.gov).


**May 12, 2005 - 9 a.m.** -- Open Meeting

Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. 

A meeting of the Landscape Architects Section to conduct board business. The meeting is open to the public; however, a portion of the board's business may be discussed in closed session. 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:** Mark N. Courtney, Executive Director, Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY , e-mail [APELSCIDLA@dpor.virginia.gov](mailto:APELSCIDLA@dpor.virginia.gov).

**May 17, 2005 - 9 a.m.** -- Open Meeting

Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. 

A meeting of the Land Surveyors Section to conduct board business. The meeting is open to the public; however, a portion of the board's business may be discussed in closed session. 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:** Mark N. Courtney, Executive Director, Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY ☎, e-mail [APELSCIDLA@dpor.virginia.gov](mailto:APELSCIDLA@dpor.virginia.gov).

**May 19, 2005 - 9 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation,  
3600 West Broad Street, Richmond, Virginia. ♿

A meeting of the Certified Interior Designers Section to conduct board business. The meeting is open to the public; however, a portion of the board's business may be discussed in closed session. 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:** Mark N. Courtney, Executive Director, Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY ☎, e-mail [APELSCIDLA@dpor.virginia.gov](mailto:APELSCIDLA@dpor.virginia.gov).

**June 16, 2005 - 9 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation,  
3600 West Broad Street, Richmond, Virginia. ♿

A meeting of the full board to conduct board business. The meeting is open to the public; however, a portion of the board's business may be discussed in closed session. 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:** Mark N. Courtney, Executive Director, Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY ☎, e-mail [APELSCIDLA@dpor.virginia.gov](mailto:APELSCIDLA@dpor.virginia.gov).

## ART AND ARCHITECTURAL REVIEW BOARD

**May 6, 2005 - 10 a.m.** -- Open Meeting  
**June 3, 2005 - 10 a.m.** -- Open Meeting  
**† July 8, 2005 - 10 a.m.** -- Open Meeting  
Science Museum of Virginia, 2500 West Broad Street,  
Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A monthly meeting to review projects submitted by state agencies. Art and Architectural Review Board submittal

forms and submittal instructions can be downloaded by visiting the DGS Forms Center at [www.dgs.state.va.us](http://www.dgs.state.va.us). Request form #DGS-30-905 or submittal instructions #DGS-30-906. The deadline for submitting project datasheets and other required information is two weeks prior to the meeting date.

**Contact:** Richard L. Ford, AIA Chairman, Art and Architectural Review Board, 101 Shockoe Slip, 3rd Floor, Richmond, VA 23219, telephone (804) 648-5040, FAX (804) 225-0329, (804) 786-6152/TTY ☎, or e-mail [rford@comarchs.com](mailto:rford@comarchs.com).

## VIRGINIA COMMISSION FOR THE ARTS

**April 19, 2005 - 10 a.m.** -- Open Meeting  
The Prizery, 700 Bruce Street, South Boston, Virginia. ♿

A meeting of the Area 2 Panel to review grant applications and recommend funding to arts organizations in Area 2 of Virginia for the 2005-2006 fiscal year. The meeting is scheduled to last until 5 p.m. as needed.

**Contact:** Peggy Baggett, Executive Director, Virginia Commission for the Arts, 223 Governor St., Richmond, VA 23219, telephone (804) 225-3132, FAX (804) 225-4327, (804) 225-3132/TTY ☎, e-mail [peggy.baggett@arts.virginia.gov](mailto:peggy.baggett@arts.virginia.gov).

**April 21, 2005 - 10 a.m.** -- Open Meeting  
Depot Conference Facility, 109 South Conference Street,  
Culpeper, Virginia. ♿

A meeting of the Area 4B Panel to review grant applications and recommend funding to arts organizations in Area 4B of Virginia for the 2005-2006 fiscal year. The meeting is scheduled to last until 5 p.m. as needed.

**Contact:** Peggy Baggett, Executive Director, Virginia Commission for the Arts, 223 Governor St., Richmond, VA 23219, telephone (804) 225-3132, FAX (804) 225-4327, (804) 225-3132/TTY ☎, e-mail [peggy.baggett@arts.virginia.gov](mailto:peggy.baggett@arts.virginia.gov).

**April 26, 2005 - 10 a.m.** -- Open Meeting  
Arts Council of Fairfax, 4022 Hummer Road, Annandale,  
Virginia. ♿

A meeting of the Area 4A Panel to review grant applications and recommend funding to arts organizations in Area 4A of Virginia for the 2005-2006 fiscal year. The meeting is scheduled to last until 5 p.m. as needed.

**Contact:** Peggy Baggett, Executive Director, Virginia Commission for the Arts, 223 Governor St., Richmond, VA 23219, telephone (804) 225-3132, FAX (804) 225-4327, (804) 225-3132/TTY ☎, e-mail [peggy.baggett@arts.virginia.gov](mailto:peggy.baggett@arts.virginia.gov).

**April 28, 2005 - 10 a.m.** -- Open Meeting  
C3, 1801 East Cary Street, Richmond, Virginia. ♿

A meeting of the Area 5 Panel to review grant applications and recommend funding to arts organizations in Area 5 of Virginia for the 2005-2006 fiscal year. The meeting is scheduled to last until 5 p.m. as needed.

**Contact:** Peggy Baggett, Executive Director, Virginia Commission for the Arts, 223 Governor St., Richmond, VA

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## Calendar of Events

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23219, telephone (804) 225-3132, FAX (804) 225-4327, (804) 225-3132/TTY ☎, e-mail [peggy.baggett@arts.virginia.gov](mailto:peggy.baggett@arts.virginia.gov).

**May 3, 2005 - 10 a.m.** -- Open Meeting

Charles Taylor Fine Arts Center, 4205 Victoria Boulevard, Hampton, Virginia. ♿

A meeting of the Area 6 Panel to review grant applications and recommend funding to arts organizations in Area 6 of Virginia for the 2005-2006 fiscal year. The meeting is scheduled to last until 5 p.m. as needed.

**Contact:** Peggy Baggett, Executive Director, Virginia Commission for the Arts, 223 Governor St., Richmond, VA 23219, telephone (804) 225-3132, FAX (804) 225-4327, (804) 225-3132/TTY ☎, e-mail [peggy.baggett@arts.virginia.gov](mailto:peggy.baggett@arts.virginia.gov).

**May 5, 2005 - 10 a.m.** -- Open Meeting

Barksdale Theater, Willow Lawn Shopping Center, 1601 Willow Lawn Drive, Richmond, Virginia. ♿

A meeting of the Major Arts Organizations Panel to review applications and recommend funding to major arts organizations in Virginia for the 2005-2006 fiscal year. The meeting is scheduled to last until 5 p.m. as needed.

**Contact:** Peggy Baggett, Executive Director, Virginia Commission for the Arts, 223 Governor St., Richmond, VA 23219, telephone (804) 225-3132, FAX (804) 225-4327, (804) 225-3132/TTY ☎, e-mail [peggy.baggett@arts.virginia.gov](mailto:peggy.baggett@arts.virginia.gov).

**May 10, 2005 - 10 a.m.** -- Open Meeting

Library of Virginia, 800 East Broad Street, Conference Room C, Richmond, Virginia. ♿

A meeting of the Touring Panel to review applications from Virginia performing artists for inclusion in the 2006-2007 tour directory. The meeting is scheduled to continue until May 11 as needed.

**Contact:** Peggy Baggett, Executive Director, Virginia Commission for the Arts, 223 Governor St., Richmond, VA 23219, telephone (804) 225-3132, FAX (804) 225-4327, (804) 225-3132/TTY ☎, e-mail [peggy.baggett@arts.virginia.gov](mailto:peggy.baggett@arts.virginia.gov).

**May 12, 2005 - 10 a.m.** -- Open Meeting

Barksdale Theater, Willow Lawn Shopping Center, 1601 Willow Lawn Drive, Richmond, Virginia. ♿

A meeting of the Arts in Education Panel to review grant applications from Virginia elementary and secondary schools in the categories of Arts Curriculum Development Grants and Artist Residency Grants. The meeting is scheduled to last until 5 p.m. as needed.

**Contact:** Peggy Baggett, Executive Director, Virginia Commission for the Arts, 223 Governor St., Richmond, VA 23219, telephone (804) 225-3132, FAX (804) 225-4327, (804) 225-3132/TTY ☎, e-mail [peggy.baggett@arts.virginia.gov](mailto:peggy.baggett@arts.virginia.gov).

**June 7, 2005 - 9 a.m.** -- Open Meeting

**June 8, 2005 - Continued** -- Open Meeting  
Libertytown Arts Workshop, 916 Liberty Street, Fredericksburg, Virginia. ♿

The final meeting of the fiscal year.

**Contact:** Peggy Baggett, Executive Director, Virginia Commission for the Arts, 223 Governor St., Richmond, VA 23219, telephone (804) 225-3132, FAX (804) 225-4327, (804) 225-3132/TTY ☎, e-mail [peggy.baggett@arts.virginia.gov](mailto:peggy.baggett@arts.virginia.gov).

### VIRGINIA BOARD FOR ASBESTOS, LEAD, AND HOME INSPECTORS

**May 18, 2005 - 9 a.m.** -- Open Meeting

Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. ♿

A meeting to conduct board business.

**Contact:** David E. Dick, Executive Director, Virginia Board for Asbestos, Lead, and Home Inspectors, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8507, FAX (804) 367-6128, (804) 367-9753/TTY ☎, e-mail [alhi@dpor.virginia.gov](mailto:alhi@dpor.virginia.gov).

### COMPREHENSIVE SERVICES FOR AT-RISK YOUTH AND FAMILIES

#### State Executive Council

**June 15, 2005 - 9 a.m.** -- Open Meeting

Location to be announced.

A regular meeting. The meeting will adjourn by noon.

**Contact:** Kim McGaughy, Executive Director, Comprehensive Services for At-Risk Youth and Families, 1604 Santa Rosa Rd., Richmond, VA 23229, telephone (804) 662-9830, FAX (804) 662-9831.

### BOARD OF AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY

**May 19, 2005 - 9:30 a.m.** -- Open Meeting

Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia. ♿

A meeting to discuss issues and matters related to board business.

**Contact:** Elizabeth Young, Executive Director, Board of Audiology and Speech-Language Pathology, Alcoa Building, 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9907, FAX (804) 662-9523, (804) 662-7197/TTY ☎, e-mail [elizabeth.young@dhp.virginia.gov](mailto:elizabeth.young@dhp.virginia.gov).

### VIRGINIA AVIATION BOARD

**April 19, 2005 - 3 p.m.** -- Open Meeting


**April 20, 2005 - 9 a.m.** -- Open Meeting  
Holiday Inn Select Lynchburg, 601 Main Street, Lynchburg, Virginia. ♿

A regular bimonthly meeting. Applications for state funding will be presented to the board and other matters of interest to the Virginia community will be discussed. Individuals with


disabilities should contact Carolyn Toth 10 days prior to the meeting if assistance is needed.

**Contact:** Carolyn Toth, Administrative Assistant, Virginia Aviation Board, 5702 Gulfstream Rd., Richmond, VA 23250, telephone (804) 236-3626, FAX (804) 236-3635, e-mail carolyn.toth@doav.virginia.gov.

## BOARD FOR BARBERS AND COSMETOLOGY


**April 21, 2005 - 9 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, Room 453, Richmond, Virginia. 

An informal fact-finding conference.


**Contact:** William H. Ferguson, II, Assistant Director, Board for Barbers and Cosmetology, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8575, FAX (804) 367-2474, (804) 367-9753/TTY , e-mail barbercosmo@dpor.virginia.gov.

## DEPARTMENT FOR THE BLIND AND VISION IMPAIRED


### Statewide Rehabilitation Council for the Blind

† **June 25, 2005 - 10 a.m.** -- Open Meeting  
Department for the Blind and Vision Impaired, 401 Azalea Avenue, Rehabilitation Center, Assembly Room, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


A quarterly meeting to advise the Department for the Blind and Vision Impaired on matters related to vocational rehabilitation services for the blind and visually impaired citizens of the Commonwealth.

**Contact:** Susan D. Payne, VR Program Director, Department for the Blind and Vision Impaired, 397 Azalea Ave., Richmond, VA 23227, telephone (804) 371-3184, FAX (804) 371-3390, toll-free (800) 622-2155, (804) 371-3140/TTY , e-mail susan.payne@dbvi.virginia.gov.

## BOARD FOR BRANCH PILOTS


**May 2, 2005 - 10 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. 

A meeting to conduct board business. The meeting is open to the public; however, a portion of the board's business may be discussed in closed session. 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:** Mark N. Courtney, Executive Director, Board for Branch Pilots, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY , e-mail branchpilots@dpor.virginia.gov.

## DEPARTMENT OF BUSINESS ASSISTANCE

### Small Business Advisory Board

**April 18, 2005 - 10 a.m.** -- Open Meeting  
Department of Business Assistance, 707 East Main Street, 3rd Floor Board Room, Richmond, Virginia. 


A general business meeting.


**Contact:** Barbara E. Anderson, Administrative/Public Relations Assistant, Department of Business Assistance, 707 E. Main St., Suite 300, Richmond, VA 23219, telephone (804) 371-8215, FAX (804) 371-8111, toll-free (866) 248-8814, e-mail barbara.anderson@dba.virginia.gov.

## CEMETERY BOARD


† **April 27, 2005 - 1 p.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, Room 453, Richmond, Virginia.

Informal fact-finding conferences.

**Contact:** Christine Martine, Executive Director, Cemetery Board, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8552, FAX (804) 367-2475, (804) 367-9753/TTY , e-mail cemetery@dpor.virginia.gov.

**June 8, 2005 - 9 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, 4 West Conference Room, Richmond, Virginia. 

A meeting to discuss board business.

**Contact:** Karen W. O'Neal, Regulatory Programs Coordinator, Cemetery Board, 3600 West Broad Street, Richmond, VA 23230, telephone (804) 367-8537, FAX (804) 367-2475, (804) 367-9753/TTY , e-mail karen.oneal@dpor.virginia.gov.

## CHARITABLE GAMING BOARD

**June 3, 2005** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Charitable Gaming Board intends to amend regulations entitled **11 VAC 15-22, Charitable Gaming Rules and Regulations**. The purpose of the proposed action is to simplify and clarify the gaming regulations while also making them consistent with current gaming statutes.

Statutory Authority: §§ 2.2-2456 and 18.2-340.19 of the Code of Virginia.

Public comments may be submitted to Bill Watt, Webmaster and Communications Specialist, Department of Charitable Gaming, James Monroe Building, 101 North 14th Street, 17th Floor, Richmond, Virginia, email bill.watt@dpg.virginia.gov.

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# Calendar of Events

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**Contact:** Clyde E. Cristman, Director, Department of Charitable Gaming, James Monroe Bldg., 101 N. 14th St., 17th Floor, Richmond, VA 23219, telephone (804) 786-1681, FAX (804) 786-1079, e-mail [clyde.cristman@dcg.virginia.gov](mailto:clyde.cristman@dcg.virginia.gov).

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**June 3, 2005** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Charitable Gaming Board intends to amend regulations entitled **11 VAC 15-31, Supplier Regulations**. The purpose of the proposed action is to simplify and clarify the gaming regulations while also making them consistent with current gaming statutes.

Statutory Authority: §§ 2.2-2456, 18.2-340.19 and 18.2-340.34 of the Code of Virginia.

Public comments may be submitted to Bill Watt, Webmaster and Communications Specialist, Department of Charitable Gaming, James Monroe Building, 101 North 14th Street, 17th Floor, Richmond, Virginia, email [bill.watt@dcg.virginia.gov](mailto:bill.watt@dcg.virginia.gov).


**Contact:** Clyde E. Cristman, Director, Department of Charitable Gaming, James Monroe Bldg., 101 N. 14th St., 17th Floor, Richmond, VA 23219, telephone (804) 786-1681, FAX (804) 786-1079, e-mail [clyde.cristman@dcg.virginia.gov](mailto:clyde.cristman@dcg.virginia.gov).

**June 7, 2005 - 10 a.m.** -- Open Meeting  
Science Museum of Virginia, 2500 West Broad Street, Discovery Room, Richmond, Virginia. 

A regular quarterly meeting.

**Contact:** Clyde E. Cristman, Director, Department of Charitable Gaming, James Monroe Bldg., 101 N. 14th St., 17th Floor, Richmond, VA 23219, telephone (804) 786-1681, FAX (804) 786-1079, e-mail [clyde.cristman@dcg.virginia.gov](mailto:clyde.cristman@dcg.virginia.gov).


## STATE CHILD FATALITY REVIEW TEAM

**May 13, 2005 - 10 a.m.** -- Open Meeting  
† **July 12, 2005 - 10 a.m.** -- Open Meeting  
Office of the Chief Medical Examiner, 400 East Jackson Street, Richmond, Virginia. 


The business portion of the meeting is open to the public. At the conclusion of the open meeting, the team will go into closed session for confidential case review.


**Contact:** Angela Myrick, Coordinator, Department of Health, 400 E. Jackson St., Richmond, VA 23219, telephone (804) 786-1047, FAX (804) 371-8595, toll-free (800) 447-1708, e-mail [angela.myrick@vdh.virginia.gov](mailto:angela.myrick@vdh.virginia.gov).

## STATE BOARD FOR COMMUNITY COLLEGES


**May 18, 2005 - 1:30 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 the Academic Committee, Student Affairs and Workforce Development Committee, and Budget and Finance Committee begins at 1:30 p.m. The Facilities Committee and the Audit Committee will meet at 3 p.m. The Personnel Committee will meet at 3:30 p.m. The Executive Committee will meet at 5 p.m.


**Contact:** D. Susan Hayden, Director of Public Affairs, Virginia Community College System, 101 N. 14th St., Richmond, VA 23219, telephone (804) 819-4961, FAX (804) 819-4768, (804) 371-8504/TTY 

**May 19, 2005 - 9 a.m.** -- Open Meeting  
James Monroe Building, 101 North 14th Street, Godwin-Hamel Board Room, 15th Floor, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A meeting of the full board. Public comment may be received at the beginning of the meeting upon notification at least five working days prior to the meeting.

**Contact:** D. Susan Hayden, Director of Public Affairs, Virginia Community College System, 15th Floor, 101 N. 14th St., Richmond, VA 23219, telephone (804) 819-4961, FAX (804) 819-4768, (804) 371-8504/TTY 

## COMPENSATION BOARD

**April 27, 2005 - 11 a.m.** -- Open Meeting  
Ninth Street Office Building, 202 North 9th Street, 10th Floor, Richmond, Virginia. 

A monthly board meeting.

**Contact:** Cindy P. Waddell, Administrative Staff Assistant, Compensation Board, P.O. Box 710, Richmond, VA 23218, telephone (804) 786-0786, FAX (804) 371-0235, e-mail [cindy.waddell@scb.virginia.gov](mailto:cindy.waddell@scb.virginia.gov).

## DEPARTMENT OF CONSERVATION AND RECREATION

† **April 28, 2005 - 7 p.m.** -- Open Meeting  
Powhatan Village Center, Route 13, Powhatan, Virginia.

A meeting of the Powhatan State Park Master Plan Advisory Committee to begin the process of developing the master plan for Powhatan State Park.

**Contact:** Robert Munson, Planning Bureau Manager, Department of Conservation and Recreation, 203 Governor St., Suite 326, Richmond, VA 23219, telephone (804) 786-6140, FAX (804) 371-7899, e-mail [robert.munson@dcr.virginia.gov](mailto:robert.munson@dcr.virginia.gov).

## BOARD FOR CONTRACTORS

**April 19, 2005 - 9 a.m.** -- Open Meeting  
**June 7, 2005 - 9 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia.

A regular meeting to address policy and procedural issues and review and render decisions on matured complaints

against licensees. The meeting is open to the public; however, a portion of the board's business may be conducted in closed session. Persons desiring to participate in the meeting and requiring special accommodations or interpretive services should contact the department at (804) 367-2785 at least 10 days prior to this meeting so that suitable arrangements can be made for an appropriate accommodation. The department fully complies with the Americans with Disabilities Act.

**Contact:** Eric L. Olson, Executive Director, Board for Contractors, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-2785, FAX (804) 367-2474, (804) 367-9753/TTY ☎, e-mail [contractors@dpor.virginia.gov](mailto:contractors@dpor.virginia.gov).

**April 21, 2005 - 9 a.m.** -- Open Meeting

† **April 26, 2005 - 9 a.m.** -- Open Meeting

† **May 3, 2005 - 9 a.m.** -- Open Meeting

**May 5, 2005 - 9 a.m.** -- Open Meeting

† **May 12, 2005 - 9 a.m.** -- Open Meeting

Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, Richmond, Virginia. ♿

Informal fact-finding conferences.

**Contact:** Eric L. Olson, Executive Director, Board for Contractors, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-2785, FAX (804) 367-2474, (804) 367-9753/TTY ☎, e-mail [contractors@dpor.virginia.gov](mailto:contractors@dpor.virginia.gov).

**May 25, 2005 - 10 a.m.** -- Open Meeting

Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. ♿

A meeting of the Tradesman and Education Committee to conduct committee business. The department fully complies with the Americans with Disabilities Act.

**Contact:** Eric L. Olson, Executive Director, Board for Contractors, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-2785, FAX (804) 367-2474, (804) 367-9753/TTY ☎, e-mail [contractors@dpor.virginia.gov](mailto:contractors@dpor.virginia.gov).

## BOARD OF CORRECTIONS

**May 17, 2005 - 10 a.m.** -Open Meeting

Department of Corrections, 6900 Atmore Drive, 3rd Floor Board Room, Richmond, Virginia. ♿

A meeting of the Liaison Committee to discuss correctional matters of interest to the board.

**Contact:** Barbara Woodhouse, Administrative Staff Assistant, Department of Corrections, 6900 Atmore Dr., Richmond, VA 23225, telephone (804) 674-3124, FAX (804) 674-3236, e-mail [woodhousebl@vadoc.state.va.us](mailto:woodhousebl@vadoc.state.va.us).

**May 17, 2005 - 1 p.m.** -- Open Meeting

Department of Corrections, 6900 Atmore Drive, 3rd Floor, Room 3054, Richmond, Virginia. ♿

A meeting of the Correctional Services/Policy and Regulations Committee to discuss correctional services and policy/regulation matters to be considered by the board.

**Contact:** Barbara Woodhouse, Administrative Staff Assistant, Department of Corrections, 6900 Atmore Dr., Richmond, VA 23225, telephone (804) 674-3124, FAX (804) 674-3236, e-mail [woodhousebl@vadoc.state.va.us](mailto:woodhousebl@vadoc.state.va.us).

**May 18, 2005 - 9:30 a.m.** -- Open Meeting

Department of Corrections, 6900 Atmore Drive, 3rd Floor Board Room, Richmond, Virginia. ♿

A meeting of the Administration Committee to discuss administrative matters to be considered by the board.

**Contact:** Barbara Woodhouse, Administrative Staff Assistant, Department of Corrections, 6900 Atmore Dr., Richmond, VA 23225, telephone (804) 674-3124, FAX (804) 674-3236, e-mail [woodhousebl@vadoc.state.va.us](mailto:woodhousebl@vadoc.state.va.us).

**May 18, 2005 - 10 a.m.** -- Open Meeting

Department of Corrections, 6900 Atmore Drive, 3rd Floor Board Room, Richmond, Virginia. ♿

A regular meeting to discuss matters to be considered by the board.

**Contact:** Barbara Woodhouse, Administrative Staff Assistant, Department of Corrections, 6900 Atmore Dr., Richmond, VA 23225, telephone (804) 674-3124, FAX (804) 674-3236, e-mail [woodhousebl@vadoc.state.va.us](mailto:woodhousebl@vadoc.state.va.us).

## BOARD OF COUNSELING

**June 2, 2005 - 9 a.m.** -- Open Meeting

Department of Health Professions, 6603 West Broad Street, 5th Floor, Conference Room 3, Richmond, Virginia.

A meeting of the Credentials Review Committee to review files of licensee applicants.

**Contact:** Evelyn B. Brown, Executive Director, Board of Counseling, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9912, FAX (804) 662-9943, (804) 662-7197/TTY ☎, e-mail [evelyn.brown@dhp.virginia.gov](mailto:evelyn.brown@dhp.virginia.gov).

**June 3, 2005 - 10 a.m.** -- Open Meeting

Department of Health Professions, 6603 West Broad Street, 5th Floor, Conference Room 3, Richmond, Virginia.

A quarterly meeting to conduct board business.

**Contact:** Evelyn B. Brown, Executive Director, Board of Counseling, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9912, FAX (804) 662-9943, (804) 662-7197/TTY ☎, e-mail [evelyn.brown@dhp.virginia.gov](mailto:evelyn.brown@dhp.virginia.gov).

## CRIMINAL JUSTICE SERVICES BOARD

**May 12, 2005 - 11 a.m.** -- Open Meeting

**June 9, 2005 - 11 a.m.** -- Open Meeting

General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia.

A general business meeting.

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# Calendar of Events

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**Contact:** Leon D. Baker, Jr., Division Director, Department of Criminal Justice Services, Eighth Street Office Bldg., 805 E. Broad St., 10th Floor, Richmond, VA 23219, telephone (804) 225-4086, FAX (804) 786-0588, e-mail lbaker@dcjs.state.va.us.

NOTE: CHANGE IN MEETING DATE

**June 9, 2005 - 9 a.m.** -- Open Meeting

General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia.


A meeting of the Committee on Training.

**Contact:** Leon D. Baker, Jr., Division Director, Department of Criminal Justice Services, Eighth Street Office Bldg., 805 E. Broad St., 10th Floor, Richmond, VA 23219, telephone (804) 225-4086, FAX (804) 786-0588, e-mail lbaker@dcjs.state.va.us.


## DEPARTMENT FOR THE DEAF AND HARD-OF-HEARING

NOTE: CHANGE IN MEETING DATE

**May 11, 2005 - 10 a.m.** -- Open Meeting

Department for the Deaf and Hard-of-Hearing, 1602 Rolling Hills Drive, 2nd Floor Conference Room, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A regular quarterly meeting of the advisory board.

**Contact:** Leslie Hutcheson Prince, Policy and Planning Manager, Department for the Deaf and Hard-of-Hearing, 1602 Rolling Hills Dr., Suite 203, Richmond, VA 23235, telephone (804) 662-9703, toll-free (800) 552-7917, (804) 662-9703/TTY , e-mail leslie.prince@vddhh.virginia.gov.


## BOARD OF DENTISTRY

**May 13, 2005 - 9 a.m.** -- Open Meeting


**May 20, 2005 - 9 a.m.** -- Open Meeting

Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia. 


A Special Conference Committee will hold informal conferences. There will not be a public comment period.

**Contact:** Cheri Emma-Leigh, Operations Manager, Department of Health Professions, 6603 W. Broad St., 5th Floor, Richmond, VA 23230, telephone (804) 662-9906, FAX (804) 662-7246, (804) 662-7197/TTY , e-mail cheri.emma-leigh@dhp.virginia.gov.

**† July 8, 2005 - 9 a.m.** -- Open Meeting

Department of Health Professions, 6603 West Broad Street, Richmond, Virginia. 

A meeting to discuss business issues. There will be a public comment period at the beginning of the meeting.


**Contact:** Sandra Reen, Executive Director, Board of Dentistry, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9906, FAX (804) 662-9943, (804) 662-7197/TTY , e-mail sandra.reen@dhp.virginia.gov.

## DESIGN-BUILD/CONSTRUCTION MANAGEMENT REVIEW BOARD


**April 21, 2005 - 11 a.m.** -- Open Meeting

**May 19, 2005 - 11 a.m.** -- Open Meeting

**June 16, 2005 - 11 a.m.** -- Open Meeting


Department of General Services, Eighth Street Office Building, 805 East Broad Street, 3rd Floor, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A monthly meeting to review requests submitted by localities to use design-build or construction-management-type contracts. Contact the Division of Engineering and Building to confirm the meeting.

**Contact:** Rhonda M. Bishton, Administrative Assistant, Department of General Services, 805 E. Broad Street, Room 101, Richmond, VA 23219, telephone (804) 786-3263, FAX (804) 371-7934, (804) 786-6152/TTY , or e-mail rhonda.bishton@dgs.virginia.gov.

## VIRGINIA ECONOMIC DEVELOPMENT PARTNERSHIP

**† April 18, 2005 - 10 a.m.** -- Open Meeting

Riverfront Plaza, 901 East Byrd Street, West Tower, 20th Floor, Presentation Center, Richmond, Virginia. 

A meeting of the Search Committee to select vendor and approve contract for a recruitment firm to assist with the selection of a new Executive Director for the Virginia Economic Development Partnership.

**Contact:** Kimberly M. Ellett, Senior Executive Assistant, Virginia Economic Development Partnership, P.O. Box 798, Richmond, VA 23218, telephone (804) 371-8108, FAX (804) 371-8112, e-mail kellett@yesvirginia.org.

**† April 25, 2005 - 10 a.m.** -- Open Meeting

Riverfront Plaza, 901 East Byrd Street, West Tower, 19th Floor, Burgundy Conf. Room 

**† April 27, 2005 - 10 a.m.** -- Open Meeting

Location to be determined.

A meeting of the Finance Committee to discuss finance issues pertaining to the Virginia Economic Development Partnership.

**Contact:** Kimberly M. Ellett, Senior Executive Assistant, Virginia Economic Development Partnership, P.O. Box 798, Richmond, VA 23218, telephone (804) 371-8108, FAX (804) 371-8112, e-mail kellett@yesvirginia.org.


## BOARD OF EDUCATION

**April 20, 2005 - 9 a.m.** -- Open Meeting

**April 21, 2005 - 9 a.m.** -- Open Meeting

**May 25, 2005 - 9 a.m.** -- Open Meeting

**June 22, 2005 - 9 a.m.** -- Open Meeting

James Monroe Building, 101 North 14th Street, Main Lobby Level, Conference Rooms C and D, Richmond, Virginia. 

A regular business meeting of the board. The public is urged to confirm arrangements prior to each meeting by



viewing the Department of Education's public meeting calendar at <http://www.pen.k12.va.us/VDOE/meetings.html>. This site will contain the latest information on the meeting arrangements and will note any last-minute changes in time or location. Persons who wish to speak or who require the services of an interpreter for the deaf should contact the agency at least 72 hours in advance.

**Contact:** Dr. Margaret N. Roberts, Office of Policy and Public Affairs, Department of Education, P.O. Box 2120, James Monroe Bldg., 101 N. 14th St., 25th Floor, Richmond, VA 23219, telephone (804) 225-2540, FAX (804) 225-2524, e-mail [margaret.roberts@doe.virginia.gov](mailto:margaret.roberts@doe.virginia.gov).

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**April 22, 2005** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board of Education intends to adopt regulations entitled **8 VAC 20-680, Regulations Governing the General Achievement Diploma**. The regulation establishes an individual's eligibility and the course/credit/assessment requirements for the diploma. It replaces emergency regulations effective from November 4, 2003, through November 4, 2004, with very minor changes except in format.

Statutory Authority: §§ 22.1-253.13.4 and 22.1-254.2 of the Code of Virginia.

**Contact:** Dr. Margaret N. Roberts, Office of Policy and Public Affairs, Department of Education, P.O. Box 2120, James Monroe Bldg., 101 N. 14th St., 25th Floor, Richmond, VA 23219, telephone (804) 225-2540, FAX (804) 225-2524, e-mail [margaret.roberts@doe.virginia.gov](mailto:margaret.roberts@doe.virginia.gov).


## Advisory Board on Teacher Education and Licensure

**April 18, 2005 - 8:45 a.m.** -- Open Meeting  
Location to be announced.

A regular meeting. The public is urged to confirm arrangements prior to each meeting by viewing the Department of Education's public meeting calendar at <http://www.pen.k12.va.us/VDOE/meetings.html>. This site will contain the latest information on the meeting arrangements and will note any last-minute changes in time or location. Please note that persons requesting the services of an interpreter for the deaf are asked to do so at least 72 hours in advance so that the appropriate arrangements may be made.

**Contact:** Dr. Margaret N. Roberts, Office of Policy and Public Affairs, Department of Education, P.O. Box 2120, James Monroe Bldg., 101 N. 14th St., 25th Floor, Richmond, VA 23219, telephone (804) 225-2540, FAX (804) 225-2524, e-mail [margaret.roberts@doe.virginia.gov](mailto:margaret.roberts@doe.virginia.gov).


## DEPARTMENT OF EDUCATION

**May 17, 2005 - 1 p.m.** -- Open Meeting  
Department of Education, James Monroe Building, PDS Room #2, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A meeting of the State Special Education Advisory Committee to review State Operated Programs' Annual Plans. The public is urged to confirm arrangements prior to each meeting by viewing the Department of Education's public meeting calendar at <http://www.pen.k12.va.us/VDOE/meetings.html>. This site will contain the latest information on the meeting arrangements and will note any last-minute changes in time or location. Please note that persons requesting the services of an interpreter for the deaf are asked to do so at least 72 hours in advance so that the appropriate arrangements may be made.

**Contact:** Dr. Margaret N. Roberts, Office of Policy and Communications, Board of Education, P.O. Box 2120, 101 N. 14th St., 25th Floor, Richmond, VA 23219, telephone (804) 225-2540, FAX (804) 225-2524, e-mail [Margaret.Roberts@doe.virginia.gov](mailto:Margaret.Roberts@doe.virginia.gov).


## DEPARTMENT OF ENVIRONMENTAL QUALITY

**April 18, 2005 - 7 p.m.** -- Public Hearing  
Campbell County Board of Supervisors Room, Haberer Building, Courthouse Lane, Rustburg, Virginia. 

A public hearing on a draft permit amendment for the Campbell County Landfill Phase II area located five miles south of Lynchburg in Campbell County to receive comments on the technical aspects of the facility's proposed corrective action plan. The public comment period closes on May 3, 2005.

**Contact:** Larry Syverson, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4271, FAX (804) 698-4327, e-mail [lwsyverson@deq.virginia.gov](mailto:lwsyverson@deq.virginia.gov).

**April 28, 2005 - 10 a.m.** -- Open Meeting

**May 24, 2005 - 10 a.m.** -- Open Meeting  
Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia. 


Meetings of the stream mitigation workgroup will be held to discuss and advise the DEQ in the development of guidance for assessing stream impacts and compensation requirements related to impacts permitted under the Virginia Water Protection Permit Program. Workgroup members have already been selected and invited. The public is welcome to attend and is requested to RSVP so that space is available.

**Contact:** Catherine M. Harold, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4047, FAX (804) 698-4032, e-mail [cmharold@deq.virginia.gov](mailto:cmharold@deq.virginia.gov).

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# Calendar of Events

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**May 5, 2005 - 8 a.m.** -- Open Meeting  
Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia. 


The permit program peer review teams will meet to review waste-specific process maps, the information from interviews and the survey, and priority opportunities to improve permitting and compliance programs.

**Contact:** Kathy R. Frahm, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4376, FAX (804) 698-4346, e-mail [krfracm@deq.virginia.gov](mailto:krfracm@deq.virginia.gov).

**May 6, 2005 - 9 a.m.** -- Open Meeting  
Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia. 

The permit program peer review teams will meet to review air, VPDES, and hazardous waste process maps; the information from interviews and the survey; and priority opportunities to improve permitting and compliance programs.


**Contact:** Kathy R. Frahm, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4376, FAX (804) 698-4346, e-mail [krfracm@deq.virginia.gov](mailto:krfracm@deq.virginia.gov).

**† May 17, 2005 - 9 a.m.** -- Open Meeting  
Department of Environmental Quality, 629 East Main Street, Richmond, Virginia. 

A regular meeting of the Ground Water Protection Steering Committee.

**Contact:** Mary Ann Massie, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4042, FAX (804) 698-4032, e-mail [mamassie@deq.virginia.gov](mailto:mamassie@deq.virginia.gov).


## VIRGINIA FIRE SERVICES BOARD

**† April 21, 2005 - 10 a.m.** -- Open Meeting  
City Hall, Council Chambers, Bristol, Virginia.  (Interpreter for the deaf provided upon request)

Meetings of the following committees:

- 10 a.m. - Committee on Fire Education and Training
- 1 p.m. - Committee on Fire Prevention and Control
- 2:30 p.m. - Committee on Administration, Policy and Finance.

**Contact:** Nausheen Khan, VFSB Clerk and Research Assistant, Virginia Fire Services Board, 1005 Technology Park Dr., Glen Allen, VA 23059, telephone (804) 249-1962, FAX (804) 371-3408, e-mail [nkhan@vdfp.state.va.us](mailto:nkhan@vdfp.state.va.us).

**† April 22, 2005 - 9 a.m.** -- Open Meeting  
City Hall, Council Chambers, Bristol, Virginia.  (Interpreter for the deaf provided upon request)


A regular meeting. Please contact Nausheen Khan for details.


**Contact:** Nausheen Khan, VFSB Clerk/Research Assistant, Virginia Fire Services Board, 1005 Technology Park Dr., Glen Allen, VA 23059, telephone (804) 249-1962, FAX (804) 371-3408, e-mail [nkhan@vdfp.state.va.us](mailto:nkhan@vdfp.state.va.us).

## BOARD OF FUNERAL DIRECTORS AND EMBALMERS


**May 3, 2005 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia. 


A meeting of the Continuing Education Committee to discuss issues related to continuing education requirements.

**Contact:** Elizabeth Young, Executive Director, Board of Funeral Directors and Embalmers, Alcoa Building, 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9111, FAX (804) 662-9523, (804) 662-7197/TTY , e-mail [elizabeth.young@dhp.virginia.gov](mailto:elizabeth.young@dhp.virginia.gov).


**May 10, 2005 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia. 

A meeting of the Legislative/Regulatory Committee to review and amend any of the regulations of the board.


**Contact:** Elizabeth Young, Executive Director, Board of Funeral Directors and Embalmers, Alcoa Building, 6603 West Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9907, FAX (804) 662-9523, (804) 662-7197/TTY , e-mail [elizabeth.young@dhp.virginia.gov](mailto:elizabeth.young@dhp.virginia.gov).

**June 7, 2005 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia. 


A meeting to discuss issues and matters as they relate to the board.

**Contact:** Elizabeth Young, Executive Director, Board of Funeral Directors and Embalmers, Alcoa Building, 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9907, FAX (804) 662-9523, (804) 662-7197/TTY , e-mail [elizabeth.young@dhp.virginia.gov](mailto:elizabeth.young@dhp.virginia.gov).

## BOARD FOR GEOLOGY

**April 20, 2005 - 9 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. 

A meeting to conduct board business.

**Contact:** David E. Dick, Executive Director, Board for Geology, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8507, FAX (804) 367-6128, (804) 367-9753/TTY , e-mail [geology@dpor.virginia.gov](mailto:geology@dpor.virginia.gov).

## STATE BOARD OF HEALTH

**April 22, 2005** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Health intends to **repeal** regulations entitled **12 VAC 5-380, Regulations for the Licensure of Home Health Agencies**, and **adopt** regulations entitled **12 VAC 5-381, Regulations for the Licensure of Home Care Organizations**. The purpose of the proposed action is to update criteria and standards for the licensure of home care organizations to reflect current national and health care industry standards and to remove archaic language and ambiguities.

Statutory Authority: §§ 32.1-12 and 32.1-162.12 of the Code of Virginia.

**Contact:** Carrie Eddy, Senior Policy Analyst, Department of Health, Center for Quality Health Care Services and Consumer Protection, 3600 West Broad Street, Suite 216, Richmond, VA 23230, telephone (804) 367-2157, FAX (804) 367-2149 or e-mail [carrie.eddy@vdh.virginia.gov](mailto:carrie.eddy@vdh.virginia.gov).

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**April 22, 2005** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Health intends to amend regulations entitled **12 VAC 5-410, Regulations for the Licensure of Hospitals in Virginia**. The purpose of the proposed action is to prevent federal classification of rural areas as metropolitan statistical areas from affecting hospitals reimbursement.

Statutory Authority: §§ 32.1-12 and 32.1-127 of the Code of Virginia.

**Contact:** Rene Cabral Daniels, Director, Division of General Environmental Services, Department of Health, 109 Governor St., Richmond, VA 23219, telephone (804) 864-7425 or e-mail [rene.cabraldaniels@vdh.virginia.gov](mailto:rene.cabraldaniels@vdh.virginia.gov).

## DEPARTMENT OF HEALTH

† **April 19, 2005 - 3 p.m.** -- Public Hearing  
Peninsula Health District Auditorium, 416 J. Clyde Morris Blvd., Newport News, Virginia.

† **April 22, 2005 - 3 p.m.** -- Public Hearing  
Northern Virginia Regional Commission, 7535 Little River Turnpike, Annandale, Virginia.

† **April 27, 2005 - 3 p.m.** -- Public Hearing  
Albemarle County Office Building, 401 McIntyre Road, Auditorium, Charlottesville, Virginia.

Meetings for the Maternal and Child Health Services Block Grant. Interested persons are invited to attend any one of the regional public hearings scheduled. After a short presentation by the Office of Family Health Services, public comments will be heard for incorporation into the office's needs assessment of women and children. This

assessment will be used in program planning and resource allocation over the next five years. For information on the Eastern Region (Newport News) meeting, contact (757) 461-4834; for the Northern Region (Annandale), contact (703) 573-1276; and for the Northwest Region (Charlottesville), contact (434) 977-6010.


Note: There is no paid parking at the Albemarle County Office Building. Street parking is available as well as paid parking at the Omni Hotel.

**Contact:** Janice Hicks, PhD, Senior Policy Analyst, Department of Health, 109 Governor St., Richmond, VA 23219, telephone (804) 864-7662, e-mail [janice.hicks@vdh.virginia.gov](mailto:janice.hicks@vdh.virginia.gov).


NOTE: CHANGE IN MEETING TIME

**June 10, 2005 - 10 a.m.** -- Open Meeting  
Virginia Hospital and Healthcare Association, 4200 Innslake Drive, Glen Allen, Virginia. 

A meeting of the Advisory Committee on the Virginia Early Hearing Detection and Intervention Program. The advisory committee will meet four times a year.

**Contact:** Pat T. Dewey, Program Manager, Department of Health, 109 Governor St., 8th Floor, Richmond, VA 23219, telephone (804) 864-7713, FAX (804) 864-7721, toll-free (866) 493-1090, (804) 828-1120/TTY , e-mail [pat.dewey@vdh.virginia.gov](mailto:pat.dewey@vdh.virginia.gov).


## DEPARTMENT OF HEALTH PROFESSIONS

**June 17, 2005 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6603 West Broad Street, Board Room 3, Richmond, Virginia. 

A meeting of the Health Practitioners' Intervention Program Committee.

**Contact:** Peggy W. Call, Intervention Program Manager, Department of Health Professions, 6603 W. Broad St., 5th Floor, Richmond, VA 23230, telephone (804) 662-9424, FAX (804) 662-7358, e-mail [peggy.call@dhp.virginia.gov](mailto:peggy.call@dhp.virginia.gov).

## BOARD FOR HEARING AID SPECIALISTS

† **July 18, 2005 - 9 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, Richmond, Virginia 

A meeting to discuss general business matters, including consideration of regulatory issues as presented. A public comment period will be held at the beginning of the meeting. A portion of the board's business may be discussed in closed session. All meetings are subject to cancellation. The time of the meeting is subject to change. Any person desiring to attend the meeting and requiring special accommodations or interpreter services should contact the board at least 10 days prior to the meeting so suitable arrangements can be made. The board fully complies with the Americans with Disabilities Act.

**Contact:** William H. Ferguson, II, Executive Director, Board for Hearing Aid Specialists, 3600 W. Broad St., Richmond, VA

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## Calendar of Events

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23230-4917, telephone (804) 367-8590, FAX (804) 367-6295, (804) 367-9753/TTY ☎, e-mail hearingaidspec@dpor.virginia.gov.

### VIRGINIA INFORMATION TECHNOLOGIES AGENCY

#### E-911 Wireless Board Subcommittee

**May 11, 2005 - 9 a.m.** -- Open Meeting  
**† July 13, 2005 - 9 a.m.** -- Open Meeting  
110 South 7th Street, 1st Floor, Telecommunications Conference Room, Suite 100, Richmond, Virginia.

A request will be made to hold the meeting in closed session.

**Contact:** Steve Marzolf, Public Safety Communications Coordinator, Virginia Information Technologies Agency, 110 S. 7th St., 3rd Floor, Richmond, VA 23219, telephone (804) 371-0015, FAX (804) 371-2277, toll-free (866) 482-3911, e-mail [steve.marzolf@vita.virginia.gov](mailto:steve.marzolf@vita.virginia.gov).

#### E-911 Wireless Service Board

**May 11, 2005 - 10 a.m.** -- Open Meeting  
**† July 13, 2005 - 10 a.m.** -- Open Meeting  
110 South 7th Street, 4th Floor Auditorium, Richmond, Virginia.

A regular board meeting.

**Contact:** Steve Marzolf, Public Safety Communications Coordinator, Virginia Information Technologies Agency, 110 S. 7th St., 3rd Floor, Richmond, VA 23219, telephone (804) 371-0015, FAX (804) 371-2277, toll-free (866) 482-3911, e-mail [steve.marzolf@vita.virginia.gov](mailto:steve.marzolf@vita.virginia.gov).

#### Virginia Geographic Information Network Advisory Board

**May 12, 2005 - 1 p.m.** -- Open Meeting  
110 South 7th Street, 3rd Floor, Richmond, Virginia. ♿

A meeting to discuss projects and operations of the Virginia Geographic Information Network.

**Contact:** Bill Shinar, Coordinator, VGIN, Virginia Information Technologies Agency, 110 S. 7th St., Suite 135, Richmond, VA 23219, telephone (804) 786-8175, FAX (804) 371-2795, e-mail [bill.shinar@vgin.virginia.gov](mailto:bill.shinar@vgin.virginia.gov).

### JAMESTOWN-YORKTOWN FOUNDATION

**May 4, 2005 - 2 p.m.** -- Open Meeting  
**June 8, 2005 - Noon** -- Open Meeting  
Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular meeting of the Executive Committee of the Jamestown 2007 Steering Committee. Call contact below for specific meeting location.

**Contact:** Judith Leonard, Administrative Office Manager, Jamestown-Yorktown Foundation, 410 W. Francis St.,

Williamsburg, VA 23185, telephone (757) 253-4253, FAX (757) 253-4950, (757) 253-5110/TTY ☎, e-mail [judith.leonard@jyf.virginia.gov](mailto:judith.leonard@jyf.virginia.gov).

**May 19, 2005 - 10 a.m.** -- Open Meeting

**May 20, 2005 - 8 a.m.** -- Open Meeting  
Williamsburg Hospitality House, 415 Richmond Road, Williamsburg, Virginia. ♿ (Interpreter for the deaf provided upon request)

A semiannual two-day meeting of the Board of Trustees and the board's standing committees. The time listed above is approximate as a detailed schedule is yet to be determined. An opportunity for public comment will be included on the May 20 business meeting agenda.

**Contact:** Laura W. Bailey, Executive Assistant to the Board, Jamestown-Yorktown Foundation, P.O. Box 1607, Williamsburg, VA 23187, telephone (757) 253-7285, FAX (757) 253-5299, toll-free (888) 593-4682, (757) 253-5110/TTY ☎, e-mail [laura.bailey@jyf.virginia.gov](mailto:laura.bailey@jyf.virginia.gov).

### DEPARTMENT OF LABOR AND INDUSTRY

#### Virginia Apprenticeship Council

**June 16, 2005 - 10 a.m.** -- Open Meeting  
Location to be announced. ♿ (Interpreter for the deaf provided upon request)

A meeting to conduct general business.

**Contact:** Beverley Donati, Program Director, Department of Labor and Industry, Powers-Taylor Bldg., 13 S. 13th St., Richmond, VA 23219, telephone (804) 786-2382, FAX (804) 786-8418, (804) 786-2376/TTY ☎, e-mail [bgd@doli.virginia.gov](mailto:bgd@doli.virginia.gov).

### STATE LIBRARY BOARD

**June 13, 2005 - 8:15 a.m.** -- Open Meeting  
The Library of Virginia, 800 East Broad Street, Richmond, Virginia. ♿

Meetings of the board to discuss matters pertaining to the Library of Virginia and the board. Committees of the board will meet as follows:

8:15 a.m. - Public Library Development Committee, Orientation Room  
Publications and Educational Services Committee, Conference Room B  
Records Management Committee, Conference Room C

9:30 a.m. - Archival and Information Services Committee, Orientation Room  
Collection Management Services Committee, Conference Room B  
Legislative and Finance Committee, Conference Room C

10:30 a.m. - Library Board, Conference Room, 2M

**Contact:** Jean H. Taylor, Executive Secretary to the Librarian, The Library of Virginia, 800 E. Broad St., Richmond, VA

23219-8000, telephone (804) 692-3535, FAX (804) 692-3594, (804) 692-3976/TTY ☎, e-mail jtaylor@lva.lib.va.us.

## COMMISSION ON LOCAL GOVERNMENT

**May 9, 2005 - 10 a.m.** -- Open Meeting  
The Jackson Center, 501 North 2nd Street, 1st Floor Board Room, Richmond, Virginia. ♿

A regular meeting to consider matters that may be presented.

**Contact:** Ted McCormack, Associate Director, Commission on Local Government, 501 N. 2nd St., Richmond, VA 23219, telephone (804) 786-6508, FAX (804) 371-7090, (804) 828-1120/TTY ☎, e-mail ted.mccormack@dhcd.virginia.gov.

## VIRGINIA MANUFACTURED HOUSING BOARD

**April 21, 2005 - 10 a.m.** -- Open Meeting  
The Jackson Center, 501 North Second Street, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular meeting to address complaints and claims against licensees and carry out administrative functions under the Virginia Manufactured Housing Licensing and Transaction Recovery Fund Regulations.

**Contact:** Curtis L. McIver, State Building Code Administrator, Virginia Manufactured Housing Board, State Building Code Administrative Office, 501 N. 2nd St., Richmond, VA 23219, telephone (804) 371-7160, FAX (804) 371-7092, (804) 371-7089/TTY ☎, e-mail Curtis.McIver@dhcd.virginia.gov.

## MARINE RESOURCES COMMISSION

**April 26, 2005 - 9:30 a.m.** -- Open Meeting  
**May 24, 2005 - 9:30 a.m.** -- Open Meeting  
**June 28, 2005 - 9:30 a.m.** -- Open Meeting  
Marine Resources Commission, 2600 Washington Avenue, 4th Floor, Newport News, Virginia. ♿ (Interpreter for the deaf provided upon request)

A monthly meeting.

**Contact:** Jane McCroskey, Commission Secretary, Marine Resources Commission, 2600 Washington Ave., 3rd Floor, Newport News, VA 23607, telephone (757) 247-2215, FAX (757) 247-8101, toll-free (800) 541-4646, (757) 247-2292/TTY ☎, e-mail jane.mccroskey@mrc.virginia.gov.

## BOARD OF MEDICAL ASSISTANCE SERVICES

**June 14, 2005 - 10 a.m.** -- Open Meeting  
Department of Medical Assistance Services, 600 East Broad Street, 13th Floor Conference Room, Richmond, Virginia. ♿

A quarterly meeting.

**Contact:** Nancy Malczewski, Board Liaison, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 786-8096, FAX (804) 371-4981, (800) 343-0634/TTY ☎, e-mail nancy.malczewski@dmas.virginia.gov.

## DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

**April 22, 2005** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Department of Medical Assistance Services intends to amend regulations entitled **12 VAC 30-70, Methods and Standards for Establishing Payment Rates Inpatient Hospital Services**. The purpose of the proposed action is to eliminate a separate DSH payment calculation for Medicaid-recognized NICU programs and to modify indirect medical education payments. This action also proposes to exclude freestanding psychiatric hospitals from the standard rebasing action conducted for other types of hospitals' reimbursement.

Statutory Authority: §§ 32.1-324 and 32.1-325 of the Code of Virginia; Items 326 (OO) and 326 (NN) of Chapter 4 of the 2004 Acts of Assembly, Special Session I.

**Contact:** Steve Ford, Provider Reimbursement Division, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 786-7355, FAX (804) 786-1680 or e-mail Steve.Ford@dmas.virginia.gov.

**April 22, 2005 - 11 a.m.** -- Open Meeting  
Department of Medical Assistance Services, 600 East Broad Street, 13th Floor, Board Room, Richmond, Virginia. ♿

A meeting of the Dental Advisory Committee to streamline administrative processes and procedures that are impediments to dental provider participation in Medicaid.

**Contact:** Stephen Riggs, DDS, Dental Consultant, Department of Medical Assistance Services, 600 E. Broad St., Richmond, VA 23219, telephone (804) 786-6635, FAX (804) 786-0414, (800) 343-0634/TTY ☎, e-mail va.smiles@dmas.virginia.gov.

**May 18, 2005 - 1 p.m.** -- Open Meeting  
Department of Medical Assistance Services, 600 East Broad Street, 13th Floor, Board Room, Richmond, Virginia.

A meeting of the Medicaid Transportation Advisory Committee to discuss issues and concerns about Medicaid transportation issues with the committee and the community.

**Contact:** Peter Lubinkas, Transportation Manager, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 786-8855, FAX (804) 371-6035, (800) 343-0634/TTY ☎, e-mail peter.lubinkas@dmas.virginia.gov.

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**May 20, 2005** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Department of Medical Assistance Services intends to amend regulations entitled **12 VAC 30-70, Methods and Standards for Establishing Payment Rates Inpatient Hospital Care**. The purpose of the

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proposed action is to permit DMAS to make DSH payments of up to 175% of uncompensated costs in FY 2005 as permitted under federal law.

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

**Contact:** William Lessard, Provider Reimbursement Division, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 225-4593, FAX (804) 786-1680 or e-mail [william.lessard@dmas.virginia.gov](mailto:william.lessard@dmas.virginia.gov).

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**June 3, 2005** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Department of Medical Assistance Services intends to amend regulations entitled **12 VAC 30-40, Eligibility Conditions and Requirements**. The purpose of the proposed action is to reduce the sheltering of assets through purchases of annuities by individuals as a means to impoverish themselves to enable their qualification for Medicaid eligibility.

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

**Contact:** Patricia Sykes, Policy and Research Division, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 786-7958, FAX (804) 786-1680 or e-mail [patricia.sykes@dmas.virginia.gov](mailto:patricia.sykes@dmas.virginia.gov).

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**June 3, 2005** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Department of Medical Assistance Services intends to amend regulations entitled **12 VAC 30-80, Methods and Standards for Establishing Payment Rates; Other Types of Care**. The purpose of the proposed action is to conform to the legislative mandate to increase the reimbursement for certain emergency room procedures and increase reimbursement for certain obstetric/gynecological procedures in order to help address the growing problem with access to this care across the Commonwealth.

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

Public comments may be submitted until June 3, 2005, to Steve Ford, Provider Reimbursement Division, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, Virginia.

**Contact:** Brian M. McCormick, Regulatory Coordinators, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 786-7959, FAX (804) 786-1680 or e-mail [brian.mccormick@dmas.virginia.gov](mailto:brian.mccormick@dmas.virginia.gov).

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**June 3, 2005** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Department of Medical Assistance Services intends to amend regulations entitled **12 VAC 30-90, Methods and Standards for Establishing Payment Rates for Long-Term Care**. The purpose of the proposed action is to increase the per patient, per diem rate for nursing facilities by \$3.00.

Statutory Authority: §§ 32.1-324 and 32.1-325 of the Code of Virginia; Item 326 YY of Chapter 4 of the 2004 Special Session I Acts of Assembly.

**Contact:** William Lessard, Provider Reimbursement Division, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 225-4593, FAX (804) 786-1680 or e-mail [William.Lessard@dmas.virginia.gov](mailto:William.Lessard@dmas.virginia.gov).

## BOARD OF MEDICINE

**April 20, 2005 - 8:45 a.m.** -- Open Meeting  
Williamsburg Marriott, 50 Kingsmill Road, Williamsburg, Virginia ☎

† **April 26, 2005 - 9 a.m.** -- Open Meeting  
Clarion Hotel, 3315 Ordway Drive, Roanoke, Virginia.

† **May 4, 2005 - 8:45 a.m.** -- Open Meeting  
Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia.

A Special Conference Committee of the board will convene informal conferences to inquire into allegations that certain practitioners may have violated certain laws and regulations governing the practice of medicine and other healing arts. Further, the committee may review cases with board staff for case disposition including consideration of consent orders for settlement for matters pending before the board. The committee will meet in open and closed sessions pursuant to the Code of Virginia. Public comment will not be received.

**Contact:** Renee S. Dixon, Discipline Case Manager, Department of Health Professions, 6603 W. Broad St., 5th Floor, Richmond, VA 23230, telephone (804) 662-7002, FAX (804) 662-9517, (804) 662-7197/TTY ☎, e-mail [renee.dixon@dhp.virginia.gov](mailto:renee.dixon@dhp.virginia.gov).

**April 22, 2005 - 8:30 a.m.** -- Open Meeting  
Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 2, Richmond, Virginia.

A meeting of the Legislative Committee to consider regulatory matters as may be presented on the agenda. Public comment on agenda items will be received at the beginning of the meeting.

**Contact:** William L. Harp, M.D., Executive Director, Board of Medicine, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9908, FAX

(804) 662-9943, (804) 662-7197/TTY ☎, e-mail [william.harp@dhp.virginia.gov](mailto:william.harp@dhp.virginia.gov).

**April 22, 2005 - 1 p.m.** -- Open Meeting

Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 2, Richmond, Virginia.

A meeting of the Laser Hair Removal Committee to discuss the use of lasers in hair removal procedures. Public comment on agenda items will be received at the beginning of the meeting.

**Contact:** William L. Harp, M.D., Executive Director, Board of Medicine, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9908, FAX (804) 662-9943, (804) 662-7197/TTY ☎, e-mail [william.harp@dhp.virginia.gov](mailto:william.harp@dhp.virginia.gov).

**May 5, 2005 - 9 a.m.** -- Open Meeting

Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia. ♿

A formal hearing to inquire into allegations that a certain practitioner may have violated certain laws and regulations governing the practice of medicine and other healing arts. This hearing is scheduled for three days beginning May 5, 2005. The board will meet in open and closed sessions pursuant to the Code of Virginia. Public comment will not be received.

**Contact:** Renee Dixon, Discipline Case Manager, Department of Health Professions, 6603 W. Broad St., 5th Floor, Richmond, VA 23230, telephone (804) 662-7009, FAX (804) 662-9517, (804) 662-7197/TTY ☎, e-mail [renee.dixon@dhp.virginia.gov](mailto:renee.dixon@dhp.virginia.gov).

**May 20, 2005 - 8 a.m.** -- Open Meeting

Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 2, Richmond, Virginia.

A meeting of the Executive Committee to consider regulatory and disciplinary matters as may be presented on the agenda. Public comment on agenda items will be received at the beginning of the meeting.

**Contact:** William L. Harp, M.D., Executive Director, Board of Medicine, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9908, FAX (804) 662-9943, (804) 662-7197/TTY ☎, e-mail [william.harp@dhp.virginia.gov](mailto:william.harp@dhp.virginia.gov).

**† July 14, 2005 - 8 a.m.** -- Open Meeting

Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 2, Richmond, Virginia.

A meeting to consider regulatory and disciplinary matters as may be presented on the agenda. Public comment on agenda items will be received at the beginning of the meeting.

**Contact:** William L. Harp, M.D., Executive Director, Board of Medicine, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9908, FAX (804) 662-9943, (804) 662-7197/TTY ☎, e-mail [william.harp@dhp.virginia.gov](mailto:william.harp@dhp.virginia.gov).

## DEPARTMENT OF MINES, MINERALS AND ENERGY

### Virginia Gas and Oil Board

**† April 19, 2005 - 9 a.m.** -- Open Meeting

Southwest Virginia Higher Education Center on the campus of Virginia Highlands Community College, Abingdon, Virginia. ♿ (Interpreter for the deaf provided upon request)

A general meeting of the board. In addition to general board business, petitions for pooling, disbursements of funds, and establishment of field rules for drilling will be discussed.

**Contact:** Bob Wilson, Division Director, Department of Mines, Minerals and Energy, Division of Gas and Oil, 230 Charwood Dr., Abingdon, VA 24210, telephone (276) 676-5426, FAX (276) 676-5459, (800) 828-1120/TTY ☎, e-mail [bob.wilson@dmme.virginia.gov](mailto:bob.wilson@dmme.virginia.gov).

### STATE MILK COMMISSION

**May 25, 2005 - 10:45 a.m.** -- Open Meeting

Department of Forestry, 900 Natural Resources Drive, Room 2063, Charlottesville, Virginia. ♿

A regular meeting to consider industry distributor licensing, base transfers and reports from staff. The commission offers anyone in attendance an opportunity to speak at the conclusion of the agenda. Those persons requiring special accommodations should notify Edward C. Wilson, Jr., at least five working days prior to the meeting date so that suitable arrangements can be made.

**Contact:** Edward C. Wilson, Jr., Deputy Administrator, State Milk Commission, Washington Bldg., 1100 Bank St., Suite 1019, Richmond, VA 23218, telephone (804) 786-2013, FAX (804) 786-3779, e-mail [Edward.Wilson@vdacs.virginia.gov](mailto:Edward.Wilson@vdacs.virginia.gov).

### VIRGINIA MUSEUM OF FINE ARTS

**May 3, 2005 - 8 a.m.** -- Open Meeting

Virginia Museum of Fine Arts, Main Lobby Conference Room, 200 North Boulevard, Richmond, Virginia. ♿

A meeting for staff to update the Executive Committee. Public comment will not be received.

**Contact:** Suzanne Broyles, Secretary of the Museum, Virginia Museum of Fine Arts, 200 N. Boulevard, Richmond, VA 23220-4007, telephone (804) 340-1503, FAX (804) 340-1502, (804) 340-1401/TTY ☎, e-mail [sbroyles@vmfa.state.va.us](mailto:sbroyles@vmfa.state.va.us).

**† May 18, 2005 - 11 a.m.** -- Open Meeting

Virginia Museum of Fine Arts, 200 North Boulevard, Richmond, Virginia. ♿

The following committees will meet to update staff:

12:45 p.m. - Artistic Oversight Committee (CEO Parlor)  
3:15 p.m. - Government Affairs (CEO 2nd Floor Conference Room)

Public comment will not be received.

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# Calendar of Events

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**Contact:** Suzanne Broyles, Secretary of the Museum, Virginia Museum of Fine Arts, 200 N. Boulevard, Richmond, VA 23220-4007, telephone (804) 340-1503, FAX (804) 340-1502, (804) 340-1401/TTY ☎, e-mail sbroyles@vmfa.state.va.us.

† **May 19, 2005 - 9 a.m.** -- Open Meeting  
Virginia Museum of Fine Arts, 200 North Boulevard, CEO 2nd Floor Conference Room, Richmond, Virginia.📍

A meeting of the Fiscal Oversight Committee for staff to update the committee. Public comment will not be received.

**Contact:** Suzanne Broyles, Secretary of the Museum, Virginia Museum of Fine Arts, 200 N. Boulevard, Richmond, VA 23220-4007, telephone (804) 340-1503, FAX (804) 340-1502, (804) 340-1401/TTY ☎, e-mail sbroyles@vmfa.state.va.us.

† **May 19, 2005 - Noon** -- Open Meeting  
Virginia Museum of Fine Arts, Auditorium, 200 North Boulevard, Auditorium, Richmond, Virginia.📍

A Board of Trustees annual meeting for staff to update the board. Part of the meeting will be held in closed session. Public comment will not be received.

**Contact:** Suzanne Broyles, Secretary of the Museum, Virginia Museum of Fine Arts, 200 N. Boulevard, Richmond, VA 23220-4007, telephone (804) 340-1503, FAX (804) 340-1502, (804) 340-1401/TTY ☎, e-mail sbroyles@vmfa.state.va.us.

**June 16, 2005 - 9 a.m.** -- Open Meeting  
Virginia Museum of Fine Arts, CEO Parlor, 200 North Boulevard, Richmond, Virginia.📍

A joint meeting of the Executive and Financial Oversight Committees for staff to update the committees. Public comment will not be received.

**Contact:** Suzanne Broyles, Secretary of the Museum, Virginia Museum of Fine Arts, 200 N. Boulevard, Richmond, VA 23220-4007, telephone (804) 340-1503, FAX (804) 340-1502, (804) 340-1401/TTY ☎, e-mail sbroyles@vmfa.state.va.us.

## VIRGINIA MUSEUM OF NATURAL HISTORY

† **May 20, 2005 - 11 a.m.** -- Open Meeting  
Virginia Museum of Natural History, 1001 Douglas Avenue, Martinsville, Virginia.📍

A meeting of the Executive Committee to discuss direction and management of the museum.

**Contact:** Cindy Gray, Director's Assistant, Virginia Museum of Natural History, 1001 Douglas Ave., Martinsville, VA 24112, telephone (276) 666-8616, FAX (276) 632-6487, (276) 666-8638/TTY ☎, e-mail cgray@vmnh.net.

† **May 21, 2005 - 10 a.m.** -- Open Meeting  
Quality Inn/Dutch Inn, 2360 Virginia Avenue, Collinsville, Virginia.📍

The meeting will include reports from all standing board committees.

**Contact:** Cindy Gray, Director's Assistant, Virginia Museum of Natural History, 1001 Douglas Ave., Martinsville, VA 24112, telephone (276) 666-8616, FAX (276) 632-6487, (276) 666-8638/TTY ☎, e-mail cgray@vmnh.net.

## BOARD OF NURSING

**April 19, 2005 - 9 a.m.** -- Open Meeting  
**June 7, 2005 - 9 a.m.** -- Open Meeting  
**June 8, 2005 - 9 a.m.** -- Open Meeting  
**June 13, 2005 - 9 a.m.** -- Open Meeting  
**June 14, 2005 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia.📍

A Special Conference Committee, comprised of two members of the Virginia Board of Nursing or agency subordinate, will conduct informal conferences with licensees and certificate holders. Public comment will not be received.

**Contact:** Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director, Board of Nursing, 6603 West Broad Street, 5th Floor, Richmond, VA 23230, telephone (804) 662-9909, FAX (804) 662-9512, (804) 662-7197/TTY ☎, e-mail nursebd@dhp.virginia.gov.

**May 16, 2005 - 9 a.m.** -- Open Meeting  
**May 18, 2005 - 9 a.m.** -- Open Meeting  
**May 19, 2005 - 9 a.m.** -- Open Meeting  
† **July 18, 2005 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 2, Richmond, Virginia.📍

A panel of the board will conduct formal hearings with licensees and/or certificate holders. Public comment will not be received.

**Contact:** Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director, Board of Nursing, 6603 W. Broad St., 5th Floor, Richmond, VA 23230, telephone (804) 662-9909, FAX (804) 662-9512, (804) 662-7197/TTY ☎, e-mail nursebd@dhp.virginia.gov.

**May 17, 2005 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 2, Richmond, Virginia.📍

A general business meeting including committee reports, consideration of regulatory action and discipline case decisions as presented on the agenda. Public comment will be received at 11 a.m.

**Contact:** Jay P. Douglas, R.N., Executive Director, Board of Nursing, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9909, FAX (804) 662-9512, (804) 662-7197/TTY ☎, e-mail jay.douglas@dhp.virginia.gov.

## JOINT BOARDS OF NURSING AND MEDICINE

**June 22, 2005 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 1, Richmond, Virginia.📍



A meeting of the Joint Boards of Nursing and Medicine.

**Contact:** Jay P. Douglas, RN, MSM, CSAC, Executive Director, Board of Nursing, 6603 W. Broad St., 5th Floor, Richmond, VA 23230, telephone (804) 662-9909, FAX (804) 662-9512, (804) 662-7197/TTY ☎, e-mail nursebd@dhp.virginia.gov.

## BOARD OF NURSING HOME ADMINISTRATORS

**April 20, 2005 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia. ♿

A meeting to discuss general board business. There will be a public comment period during the first 15 minutes of the meeting.

**Contact:** Sandra Reen, Executive Director, Board of Nursing Home Administrators, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-7457, FAX (804) 662-9943, (804) 662-7197/TTY ☎, e-mail sandra.reen@dhp.virginia.gov.

## OLD DOMINION UNIVERSITY

**May 16, 2005 - 3 p.m.** -- Open Meeting  
Old Dominion University, Webb University Center, Norfolk, Virginia. ♿

A regular meeting of the Board of Visitors' Executive Committee to discuss business of the board and the institution as determined by the rector and the president. Public comment will not be received.

**Contact:** Donna Meeks, Executive Secretary to the Board of Visitors, Old Dominion University, 204 Koch Hall, Norfolk, VA 23529, telephone (757) 683-3072, FAX (757) 683-5679, e-mail dmeeks@odu.edu.

**June 14, 2005 - 1 p.m.** -- Open Meeting  
Old Dominion University, Webb University Center, Norfolk, Virginia. ♿

A quarterly meeting of the governing board of the institution to discuss business of the board and the institution as determined by the rector and the president. Public comment will not be received.

**Contact:** Donna Meeks, Executive Secretary to the Board of Visitors, Old Dominion University, 204 Koch Hall, Norfolk, VA 23529, telephone (757) 683-3072, FAX (757) 683-5679, e-mail dmeeks@odu.edu.

## VIRGINIA BOARD FOR PEOPLE WITH DISABILITIES

**June 13, 2005 - 10 a.m.** -- Open Meeting  
Holiday Inn, 6531 West Broad Street, Richmond, Virginia. ♿

A meeting of the Executive Committee.

**Contact:** Sandra Smalls, Executive Assistant, Virginia Board for People with Disabilities, 202 N. 9th St., 9th Floor, Richmond, VA 23219, telephone (804) 786-0016, FAX (804)

786-1118, toll-free (800) 846-4464, (800) 846-4464/TTY ☎, e-mail sandra.smalls@vbpd.virginia.gov.

**June 14, 2005 - 9 a.m.** -- Open Meeting  
Holiday Inn, 6531 West Broad Street, Richmond, Virginia. ♿  
(Interpreter for the deaf provided upon request)

A quarterly board meeting.

**Contact:** Sandra Smalls, Executive Assistant, Virginia Board for People with Disabilities, 202 N. 9th St., 9th Floor, Richmond, VA 23219, telephone (804) 786-0016, FAX (804) 786-1118, toll-free (800) 846-4464, (800) 846-4464/TTY ☎, e-mail sandra.smalls@vbpd.virginia.gov.

## PESTICIDE CONTROL BOARD

**April 21, 2005 - 9 a.m.** -- Open Meeting  
Department of Agriculture and Consumer Services, Washington Building, 1100 Bank Street, 2nd Floor Boardroom, Richmond, Virginia. ♿

A meeting to discuss general business matters requiring board action. However, portions of the meeting may be held in closed session, pursuant to § 2.2-3711 of the Code of Virginia. The board intends to consider final adoption of amendments to 2 VAC 20-40, Rules and Regulations Governing Licensing of Pesticide Businesses Operating Under Authority of the Virginia Pesticide Control Act. 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 accommodation in order to participate at the meeting should contact Dr. Wayne Surles at least five days before the meeting date so that suitable arrangements can be made.

**Contact:** Dr. Wayne Surles, Program Manager, Department of Agriculture and Consumer Services, Washington Bldg., 1100 Bank St., 4th Floor, Richmond, VA 23219, telephone (804) 371-6558, FAX (804) 371-8598, toll-free (800) 552-9963, e-mail Wayne.Surles@vdacs.virginia.gov.

## BOARD OF PHARMACY

**April 21, 2005 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6603 West Broad Street, 5th Floor, Conference Room 4, Richmond, Virginia. ♿

A Special Conference Committee will discuss disciplinary matters. Public comments will not be received.

**Contact:** Elizabeth Scott Russell, Executive Director, Board of Pharmacy, 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9911, FAX (804) 662-9313, e-mail scotti.russell@dhp.virginia.gov.

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NOTE: EXTENSION OF PUBLIC COMMENT PERIOD

**April 25, 2005 - 10 a.m.** -- Public Hearing  
Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 3, Richmond, Virginia. ♿

**May 18, 2005** - Public comments may be submitted until this date.

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# Calendar of Events


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Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board of Pharmacy intends to amend regulations entitled **18 VAC 110-20, Regulations Governing the Practice of Pharmacy**. The purpose of the proposed regulation is to set requirements that must be met for a dispensing pharmacy to outsource prescription order processing to a remote or centralized pharmacy.


Statutory Authority: §§ 54.1-2400 and 54.1-3307 of the Code of Virginia.

Public comments may be submitted until May 18, 2005, to Elizabeth Scott Russell, Executive Director, Board of Pharmacy, 6603 West Broad Street, Richmond, VA 23230-1712.

**Contact:** Elaine J. Yeatts, Agency Regulatory Coordinator, Department of Health Professions, 6603 W. Broad St., Richmond, VA 23230-1712, telephone (804) 662-9918, FAX (804) 662-9114 or e-mail [elaine.yeatts@dhp.virginia.gov](mailto:elaine.yeatts@dhp.virginia.gov).


**June 7, 2005 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6603 West Broad Street, 5th Floor, Conference Room 2, Richmond, Virginia. 

A board meeting to consider such regulatory and disciplinary matters as may be presented on the agenda. Public comment will be received at the beginning of the meeting.


**Contact:** Elizabeth Scott Russell, Executive Director, Board of Pharmacy, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9911, FAX (804) 662-9313, (804) 662-7197/TTY , e-mail [scotti.russell@dhp.virginia.gov](mailto:scotti.russell@dhp.virginia.gov).

## BOARD OF PHYSICAL THERAPY

NOTE: CHANGE IN MEETING TIME


**April 22, 2005 - 10:30 a.m.** -- Open Meeting  
Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia. 

A meeting to discuss board issues and board business.


**Contact:** Elizabeth Young, Executive Director, Board of Physical Therapy, Alcoa Bldg., 6603 West Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9924, FAX (804) 662-9523, (804) 662-7197/TTY , e-mail [elizabeth.young@dhp.virginia.gov](mailto:elizabeth.young@dhp.virginia.gov).

**April 22, 2005 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia. 


A meeting of the Legislative/Regulatory Committee to discuss legislative and regulatory changes to the regulations.

**Contact:** Elizabeth Young, Executive Director, Board of Physical Therapy, Alcoa Bldg., 6603 West Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9924, FAX (804) 662-9523, (804) 662-7197/TTY , e-mail [elizabeth.young@dhp.virginia.gov](mailto:elizabeth.young@dhp.virginia.gov).


## POLYGRAPH EXAMINERS ADVISORY BOARD

**June 2, 2005 - 10 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. 


A meeting to conduct board business. The meeting is open to the public; however, a portion of the board's business may be discussed in closed session. Persons desiring to participate in the meeting and requiring special accommodations or interpretive 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:** Kevin Hoeft, Regulatory Boards Administrator, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-2785, FAX (804) 367-2474, (804) 367-9753/TTY , e-mail [kevin.hoeft@dpor.virginia.gov](mailto:kevin.hoeft@dpor.virginia.gov).

## BOARD FOR PROFESSIONAL AND OCCUPATIONAL REGULATION

**June 6, 2005 - 10 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. 


A quarterly board meeting.

**Contact:** Judith A. Spiller, Executive Director, Board for Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8519, FAX (804) 367-9537, (804) 367-9753/TTY , e-mail [judy.spiller@dpor.virginia.gov](mailto:judy.spiller@dpor.virginia.gov).


## BOARD OF PSYCHOLOGY

† **July 12, 2005 - 9:30 a.m.** -- Open Meeting  
Department of Health Professions, 6603 West Broad Street, 5th Floor Richmond, Virginia. 

A business meeting to include reports from standing committees and any regulatory and disciplinary matters as may be presented on the agenda. Public comment will be received at the beginning of the meeting.

**Contact:** Evelyn B. Brown, Executive Director, Board of Psychology, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9913, FAX (804) 662-9943, (804) 662-7197/TTY , e-mail [evelyn.brown@dhp.virginia.gov](mailto:evelyn.brown@dhp.virginia.gov).

## VIRGINIA PUBLIC BROADCASTING BOARD

† **April 25, 2005 - 10 a.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, 5th Floor West, Richmond, Virginia. 

A meeting to discuss the master plan. Please contact Shannon Powell for details.


**Contact:** Shannon Powell, Research Assistant, Virginia Public Broadcasting Board, 202 N. 9th St., Suite 636, Richmond, VA 23219, telephone (804) 786-1201.

† **May 4, 2005 - 10 a.m.** -- Open Meeting  
Location to be determined.


If you have any questions please contact Shannon Powell.

**Contact:** Shannon Powell, Virginia Public Broadcasting Board, 202 N. 9th St., Richmond VA 23219, telephone (804) 786-1201.


## VIRGINIA PUBLIC GUARDIAN AND CONSERVATOR ADVISORY BOARD

† **June 30, 2005 - 10 a.m.** -- Open Meeting  
Department for the Aging, 1610 Forest Avenue, Suite 100, Richmond, Virginia. 


An advisory board meeting.


**Contact:** Janet Dingle Brown, Esq., Public Guardianship Coordinator and Legal Services Developer, Virginia Department for the Aging, 1610 Forest Ave., Suite 100, Richmond, VA 23229, telephone (804) 662-7049, FAX (804) 662-9354, toll-free (800) 552-3402, (804) 662-9333/TTY , e-mail janet.brown@vda.virginia.gov.

## REAL ESTATE APPRAISER BOARD


**April 20, 2005 - 10 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, Room 453, Richmond, Virginia. 

An informal fact-finding conference.


**Contact:** Christine Martine, Executive Director, Real Estate Board, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8552, FAX (804) 367-2475, (804) 367-9753/TTY , e-mail REBoard@dpor.virginia.gov.

**May 3, 2005 - 10 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, 4 West Conference Room, Richmond, Virginia. 


A meeting to discuss board business.


**Contact:** Karen W. O'Neal, Regulatory Programs Coordinator, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8537, FAX (804) 367-2475, (804) 367-9753/TTY , e-mail karen.oneal@dpor.virginia.gov.

## REAL ESTATE BOARD


**April 21, 2005 - 9 a.m.** -- Open Meeting  
† **May 12, 2005 - 9 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, Room 453, Richmond, Virginia. 


An informal fact-finding conference.

**Contact:** Christine Martine, Executive Director, Real Estate Board, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8552, FAX (804) 367-2475, (804) 367-9753/TTY , e-mail reboard@dpor.virginia.gov.


**May 18, 2005 - 3 p.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. 


A meeting of the Education Committee to review education applications.

**Contact:** Karen W. O'Neal, Regulatory Programs Coordinator, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8537, FAX (804) 367-2475, (804) 367-9753/TTY , e-mail karen.oneal@dpor.virginia.gov.


**May 19, 2005 - 8:30 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. 

A meeting of the Fair Housing Committee to review fair housing cases.

**Contact:** Karen W. O'Neal, Regulatory Programs Coordinator, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8537, FAX (804) 367-2475, (804) 367-9753/TTY , e-mail karen.oneal@dpor.virginia.gov.

**May 19, 2005 - 9 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, Conference Room 4-West, Richmond, Virginia. 

A meeting to discuss board business.

**Contact:** Karen W. O'Neal, Regulatory Programs Coordinator, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8537, FAX (804) 367-2475, (804) 367-9753/TTY , e-mail karen.oneal@dpor.virginia.gov.

## VIRGINIA RESEARCH AND TECHNOLOGY ADVISORY COMMISSION

**May 17, 2005 - 1 p.m.** -- Open Meeting  
James Madison University, 800 North Main Street, Harrisonburg, Virginia.

Tour at 10 a.m.; meeting 1 p.m. to 5 p.m. (lunch provided). A reception and dinner in honor of the commission will be cohosted by JMU and CIT and will be held in the Board of Visitors Dining Room of the College Center, JMU. Reception refreshments and dinner will be provided to commission members and invited guests. Reception 5:45 p.m. Dinner 6:30 p.m.

**Contact:** Nancy Vorona, VP Research Investment, CIT, Virginia Research and Technology Advisory Commission, 2214 Rock Hill Rd., Suite 600, Herndon, VA 20170, telephone (703) 689-3043, FAX (703) 464-1720, e-mail nvorona@cit.org.

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# Calendar of Events

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## VIRGINIA RESOURCES AUTHORITY

† **May 10, 2005 - 9 a.m.** -- Open Meeting  
Eighth and Main Building, 707 East Main Street, 2nd Floor,  
Richmond, Virginia. ☎

A regular meeting of the Board of Directors to (i) review and, if appropriate, approve the minutes from the most recent monthly meeting; (ii) review the authority's operations for the prior month; (iii) review applications for loans submitted to the authority for approval; (iv) consider loan commitments for approval and ratification under its various programs; (v) approve the issuance of any bonds; (vi) review the results of any bond sales; and (vii) consider such other matters and take such other actions as it may deem appropriate. Various committees of the Board of Directors may also meet immediately before or after the regular meeting and consider matters within their purview. The planned agenda of the meeting and any committee meetings will be available at the offices of the authority one week prior to the date of the meeting. Any person who needs any accommodation in order to participate in the meeting should contact the authority at least 10 days before the meeting so that suitable arrangements can be made.

**Contact:** Bonnie R. C. McRae, Executive Assistant, Virginia Resources Authority, 707 E. Main St., Richmond, VA 23219, telephone (804) 644-3100, FAX (804) 644-3109, e-mail [bmcr@aera.vra.state.va.us](mailto:bmcr@aera.vra.state.va.us).

## SEWAGE HANDLING AND DISPOSAL APPEAL REVIEW BOARD

**May 18, 2005 - 10 a.m.** -- Open Meeting  
Henrico County Government Center, 8600 Dixon Powers  
Drive, Human Resource Board Room, Richmond, Virginia.

A meeting to hear appeals of health department denials of septic tank permits and/or Indemnification Fund Claim requests.

**Contact:** Susan Sherertz, Secretary to the Board, Department of Health, 109 Governor St., 5th Floor, Richmond, VA 23219, telephone (804) 864-7464, FAX (804) 864-7475, e-mail [susan.sherertz@vdh.virginia.gov](mailto:susan.sherertz@vdh.virginia.gov).

## VIRGINIA SMALL BUSINESS FINANCING AUTHORITY

**April 27, 2005 - Noon** -- Open Meeting  
Department of Business Assistance, 707 East Main Street,  
3rd Floor Board Room, Richmond, Virginia. ☎

A meeting to review applications for loans submitted to the authority for approval and general business of the board. The meeting time is subject to change depending upon the board's agenda.

**Contact:** Scott E. Parsons, Executive Director, Department of Business Assistance, P.O. Box 446, Richmond, VA 23218-0446, telephone (804) 371-8256, FAX (804) 225-3384, toll-free (866) 248-8814, e-mail [scott.parsons@dba.virginia.gov](mailto:scott.parsons@dba.virginia.gov).

## STATE BOARD OF SOCIAL SERVICES

† **April 19, 2005 - 9:30 a.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, House  
Room C, Richmond, Virginia. ☎

Initial business meeting of 2005 Child Support Quadrennial Guideline Review Panel. The panel will elect panel officers, determine rules of order and set initial agenda of primary review topics related to initial establishment of judicial and administrative child support orders. No public comment period is planned; however, written comments will be accepted. Interested parties may request to be placed on mailing list of materials sent to panel members.

**Contact:** Tara P. Outridge, Operations Support Coordinator, Department of Social Services, 7 N. 8th St., 1st Floor, Richmond, VA 23219, telephone (804) 726-7431, FAX (804) 726-7480.

**April 20, 2005 - 9 a.m.** -- Open Meeting

**April 21, 2005 - 9 a.m.** -- Open Meeting  
The Law Enforcement and Judicial Complex, 245 South 4th  
Street, Wytheville, Virginia.

† **June 15, 2005 - 9 a.m.** -- Open Meeting  
Berry Hill, 3105 River Road, South Boston, Virginia.

A regular meeting. Public comment will be received at 1:30 p.m.

**Contact:** Pat Rengnerth, State Board Liaison, State Board of Social Services, Office of Legislative and Regulatory Affairs, 7 N. 8th St., Room 5214, Richmond, VA 23219, telephone (804) 726-7905, FAX (804) 726-7906, (800) 828-1120/TTY ☎, e-mail [patricia.rengnerth@dss.virginia.gov](mailto:patricia.rengnerth@dss.virginia.gov).

† **June 16, 2005 - 9 a.m.** -- Open Meeting  
Department of Social Services, 1030 Cowford Building,  
Halifax, Virginia. ☎

A regular meeting.

**Contact:** Pat Rengnerth, State Board Liaison, State Board of Social Services, Office of Legislative and Regulatory Affairs, 7 N. 8th St., Room 5214, Richmond, VA 23219, telephone (804) 726-7905, FAX (804) 726-7906, (800) 828-1120/TTY ☎, e-mail [patricia.rengnerth@dss.virginia.gov](mailto:patricia.rengnerth@dss.virginia.gov).


## BOARD FOR PROFESSIONAL SOIL SCIENTISTS AND WETLAND PROFESSIONALS

**April 20, 2005 - 10 a.m.** -- Canceled  
Department of Professional and Occupational Regulation,  
3600 West Broad Street, Richmond, Virginia. ☎

The meeting to conduct board business is canceled.

**Contact:** Mark N. Courtney, Executive Director, Board for Professional Soil Scientists and Wetland Professionals, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY ☎, e-mail [soilscientist@dpor.virginia.gov](mailto:soilscientist@dpor.virginia.gov).

## COUNCIL ON TECHNOLOGY SERVICES

† **April 27, 2005 - 10 a.m.** -- Open Meeting  
Virginia Information Technologies Agency Operations Center,  
110 South 7th Street, Richmond, Virginia. 

A meeting of the COTS workgroup chairs.

**Contact:** Jennifer W. Hunter, Special Assistant for Communications/COTS Executive Director, Council on Technology Services, 411 E. Franklin St., Suite 500, Richmond, VA 23219, telephone (804) 343-9012, FAX (804) 343-9015, e-mail [jenny.hunter@vita.virginia.gov](mailto:jenny.hunter@vita.virginia.gov).

**May 11, 2005 - 2 p.m.** -- Open Meeting


**June 23, 2005 - 2 p.m.** -- Open Meeting

Department of Transportation, 1221 East Broad Street, Auditorium, Richmond, Virginia. 

A regular meeting of the advisory council to the chief information officer of the Commonwealth on matters related to information technology in the Commonwealth.

**Contact:** Jennifer W. Hunter, Special Assistant for Communications/COTS Executive Director, Council on Technology Services, 411 E. Franklin St., Suite 500, Richmond, VA 23219, telephone (804) 343-9012, FAX (804) 343-9015, e-mail [jenny.hunter@vita.virginia.gov](mailto:jenny.hunter@vita.virginia.gov).

## COMMONWEALTH TRANSPORTATION BOARD

**April 20, 2005 - 2 p.m.** -- Open Meeting  
Department of Transportation, 1221 East Broad Street, Auditorium, Richmond, Virginia. 

A work session of the Commonwealth Transportation Board and transportation staff.

**Contact:** Carol A. Mathis, Administrative Staff Assistant, Virginia Department of Transportation 1401 E. Broad St., Richmond, VA 23219, telephone (804) 786-2701, FAX (804) 786-2940, e-mail [carol.mathis@VDOT.virginia.gov](mailto:carol.mathis@VDOT.virginia.gov).


**April 21, 2005 - 9 a.m.** -- Open Meeting

Department of Transportation, 1221 East Broad Street, Auditorium, Richmond, Virginia. 

A meeting to transact board business, such as permits, additions/deletions to the highway system, and other matters requiring board approval. Public comment will be received at the outset of the meeting on items on the 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 VDOT Public Affairs at (804) 786-2715 for schedule.

**Contact:** Carol A. Mathis, Administrative Staff Assistant, Virginia Department of Transportation, 1401 E. Broad St., Richmond, VA 23219, telephone (804) 786-2701, FAX (804) 786-2940, e-mail [carol.mathis@VDOT.Virginia.gov](mailto:carol.mathis@VDOT.Virginia.gov).

## TREASURY BOARD


**April 20, 2005 - 9 a.m.** -- Open Meeting  
James Monroe Building, 101 North 14th Street, 3rd Floor, Treasury Board Room, Richmond, Virginia. 

A regular meeting.

**Contact:** Melissa Mayes, Secretary, Department of the Treasury, 101 N. 14th St., 3rd Floor, Richmond, VA 23219, telephone (804) 371-6011, FAX (804) 786-0833, e-mail [melissa.mayes@trs.virginia.gov](mailto:melissa.mayes@trs.virginia.gov).

## DEPARTMENT OF VETERANS SERVICES


### Joint Leadership Council of Veterans Service Organizations

**May 11, 2005 - 11 a.m.** -- Open Meeting  
Hampton Roads/Tidewater Area. Location to be determined. 

A regular meeting.

**Contact:** Steven Combs, Assistant to the Commissioner, Department of Veterans Services, 900 E. Main St., Richmond, VA 23219, telephone (804) 786-0294, e-mail [steven.combs@dvs.virginia.gov](mailto:steven.combs@dvs.virginia.gov).


### Veterans Services Foundation

**June 8, 2005 - 11 a.m.** -- Open Meeting  
Location to be determined 

A regular meeting. Public comment will be received at approximately 12:50 p.m.

**Contact:** Steven Combs, Assistant to the Commissioner, Department of Veterans Services, 900 E. Main St., Richmond, VA 23219, telephone (804) 786-0294, e-mail [steven.combs@dvs.virginia.gov](mailto:steven.combs@dvs.virginia.gov).

## COUNCIL ON VIRGINIA'S FUTURE

† **May 12, 2005 - 2 p.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, Senate Room A, Richmond, Virginia. 

A meeting of the full council. Governor Mark Warner is Council Chair and Mr. John Wynne is Council Vice Chair.

**Contact:** Carole Noe, 700 E. Franklin St., Suite 700, Richmond, VA 23219, telephone (804) 371-2346, FAX (804) 371-0234, e-mail [cnoe@virginia.edu](mailto:cnoe@virginia.edu).

## STATE WATER CONTROL BOARD

**April 25, 2005** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Water Control Board intends to amend regulations entitled **9 VAC 25-40, Regulation for Nutrient Enriched Waters and Dischargers Within the Chesapeake Bay Watershed**, and **9 VAC 25-720, Water**

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# Calendar of Events

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**Quality Management Planning Regulation.** The purpose of the proposed action is to establish numerical limitations for the discharge of total nitrogen, and the possible revision of numerical limitations for the discharge of total phosphorous, for certain dischargers located within the Chesapeake Bay Watershed.

Statutory Authority: §§ 62.1-44.15 of the Code of Virginia and § 303 of the federal Clean Water Act.

**Contact:** John Kennedy, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4312, FAX (804) 698-4116, or e-mail: jmkennedy@deq.virginia.gov.

**April 27, 2005 - 10 a.m.** -- Open Meeting  
Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia.

A meeting of the advisory committee assisting in the development of regulatory language for the reissuance/amendment of the general VPDES permit for car wash facilities.

**Contact:** George Cosby, State Water Control Board, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4067, FAX (804) 698-4032, e-mail gec Cosby@deq.virginia.gov.

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**May 4, 2005 - 2 p.m.** -- Public Hearing  
Department of Environmental Quality, Southwest Regional Office, 355 Deadmore Street, Abingdon, Virginia.

**May 5, 2005 - 2 p.m.** -- Public Hearing  
Department of Environmental Quality, West Central Regional Office, 3019 Peters Creek Road, Roanoke, Virginia.

**May 9, 2005 - 2 p.m.** -- Public Hearing  
Department of Environmental Quality, Valley Regional Office, 4111 Early Road, Harrisonburg, Virginia.

**May 10, 2005 - 7 p.m.** -- Public Hearing  
Lake Country Advanced Knowledge Center, 118 East Danville Street, South Hill, Virginia.

**May 11, 2005 - 2 p.m.** -- Public Hearing  
Department of Environmental Quality, South Central Regional Office, 7705 Timberlake Road, Lynchburg, Virginia.

**May 12, 2005 - 4 p.m.** -- Public Hearing  
Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia.

**May 16, 2005 - 7 p.m.** -- Public Hearing  
Department of Environmental Quality, Northern Regional Office, 13901 Crown Court, Woodbridge, Virginia.

**May 17, 2005 - 7 p.m.** -- Public Hearing  
Department of Environmental Quality, Tidewater Regional Office, 5636 Southern Boulevard, Virginia Beach, Virginia.

**June 3, 2005** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Water Control Board intends to adopt regulations entitled **9 VAC 25-780, Local and**

**Regional Water Supply Planning.** The purpose of the proposed action is to establish a basic set of criteria that each local or regional water supply plan must contain so that the entity can plan for and provide adequate water to its citizens.

Statutory Authority: § 62.1-44.38:1 of the Code of Virginia.

**Contact:** Scott W. Kudlas, State Water Control Board, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4456, FAX (804) 698-4347, e-mail swkudlas@deq.virginia.gov.

† **May 4, 2005 - 10 a.m.** -- Open Meeting

† **June 8, 2005 - 10 a.m.** -- Open Meeting

† **July 7, 2005 - 10 a.m.** -- Open Meeting

Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia. ♿

A meeting of the advisory committee assisting in the development of amendments to the water quality standards to establish nutrient criteria for lakes. Meeting date is tentative and interested persons should confirm the meeting with the contact person.

**Contact:** Eleanore Daub, State Water Control Board, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4111, FAX (804) 698-4116, e-mail emdaub@deq.virginia.gov.

† **May 24, 2005 - 2 p.m.** -- Open Meeting

Department of Environmental Quality, South Central Regional Office, 7705 Timberlake Road, Lynchburg, Virginia. ♿

A public meeting to receive comments on the State Water Control Board's notice of intent to consider amending the Water Quality Standards. The amendments would designate certain tributaries of the Pedlar and North Fork of the Buffalo Rivers and a portion of the North Fork of the Buffalo Rivers as exceptional state waters. The Notice of Intent is to be published in the Virginia Register of Regulations on April 18, 2005. The comment period begins with publication in the Virginia Register of Regulations and closes on May 27, 2005.

**Contact:** David C. Whitehurst, State Water Control Board, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4121, FAX (804) 698-4522, e-mail dcwhitehurst@deq.virginia.gov.

## BOARD FOR WATERWORKS AND WASTEWATER WORKS OPERATORS

**June 22, 2005 - 8:30 a.m.** -- Open Meeting

Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. ♿


A meeting to conduct board business.

**Contact:** David E. Dick, Executive Director, Board for Waterworks and Wastewater Works Operators, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8507, FAX (804) 367-6128, (804) 367-9753/TTY ♿, e-mail waterwasteoper@dpor.virginia.gov.

## THE COLLEGE OF WILLIAM AND MARY

† **April 21, 2005 - 9 a.m.** -- Open Meeting

† **April 22, 2005 - 8 a.m.** -- Open Meeting

Blow Memorial Hall Board Room, 262 Richmond Road, Williamsburg, Virginia.  (Interpreter for the deaf provided upon request)

The annual meeting of the Board of Visitors. On April 21, the board committees will receive reports from the administrations, faculty and students of Richard Bland College and the College of William and Mary. On April 22, the board will receive reports from the committees of the board, the administrations of Richard Bland College and the College of William and Mary, and will act on those resolutions presented by the administrations of both institutions. The meetings are open to the public, but there will be no opportunity for public comment.


**Contact:** William T. Walker, Jr., Associate Vice President for Public Affairs, The College of William and Mary, 312 Jamestown Rd., Williamsburg, VA 23185, telephone (757) 221-2624, FAX (757) 221-1021, e-mail wtwal2@wm.edu.

## INDEPENDENT


### VIRGINIA OFFICE FOR PROTECTION AND ADVOCACY

#### Board for Protection and Advocacy


**April 25, 2005 - 2 p.m.** -- Open Meeting

Ramada Plaza Resort; 5700 Atlantic Avenue, Virginia Beach, Virginia.  (Interpreter for the deaf provided upon request)


A meeting of the board Policy Committee. Public comment will be received at the beginning of the meeting. Public comment will also be accepted by telephone. If you wish to provide public comment via telephone, you must call Lisa Shehi, Administrative Assistant at 1-800-552-3962 (Voice/TTY) or via e-mail at [lisa.shehi@vopa.virginia.gov](mailto:lisa.shehi@vopa.virginia.gov) no later than Monday, April 11, 2005. Ms. Shehi will take your name and phone number and you will be telephoned during the public comment period. If interpreter services or other accommodations are required, please contact Ms. Shehi, no later than Monday, April 11, 2005.

**Contact:** Lisa Shehi, Administrative Assistant, Virginia Office for Protection and Advocacy, 1910 Byrd Ave., Suite 5, Richmond, VA 23230, telephone (804) 225-2042, FAX (804) 662-7431, toll-free (800) 552-3962, (804) 225-2042/TTY , e-mail [general.vopa@vopa.virginia.gov](mailto:general.vopa@vopa.virginia.gov).


† **April 25, 2005 - 7 p.m.** -- Open Meeting

Ramada Plaza Resort Oceanfront, 5700 Atlantic Avenue, Virginia Beach, Virginia 


The Governing Board of the Virginia Office for Protection and Advocacy (VOPA) will gather at 7 p.m. for dinner. There will be no business conducted and no public comment will be taken.

**Contact:** Lisa Shehi, Administrative Assistant, Virginia Office for Protection and Advocacy, 1910 Byrd Ave., Suite 5, Richmond, VA 23230, telephone (804) 225-2042, FAX (804) 662-7431, toll-free (800) 552-3962, (804) 225-2042/TTY , e-mail [lisa.shehi@vopa.virginia.gov](mailto:lisa.shehi@vopa.virginia.gov).

**April 26, 2005 - 9 a.m.** -- Open Meeting


Ramada Plaza Resort; 5700 Atlantic Avenue, Virginia Beach, Virginia.  (Interpreter for the deaf provided upon request)

A meeting of the governing board. Public comment will be received at the beginning of the meeting. Public comment will also be accepted by telephone. If you wish to provide public comment via telephone, you must call Lisa Shehi, Administrative Assistant at 1-800-552-3962 (Voice/TTY) or via e-mail at [lisa.shehi@vopa.virginia.gov](mailto:lisa.shehi@vopa.virginia.gov) no later than Tuesday, April 12, 2005. Ms. Shehi will take your name and phone number and you will be telephoned during the public comment period. Directions to the meeting site can be found on the VOPA website at [www.vopa.state.va.us](http://www.vopa.state.va.us). If interpreter services or other accommodations are required, please contact Ms. Shehi no later than Tuesday, April 12, 2005.


**Contact:** Lisa Shehi, Administrative Assistant, Virginia Office for Protection and Advocacy, 1910 Byrd Ave., Suite 5, Richmond, VA 23230, telephone (804) 225-2042, FAX (804) 662-7431, toll-free (800) 552-3962, (804) 225-2042/TTY , e-mail [general.vopa@vopa.virginia.gov](mailto:general.vopa@vopa.virginia.gov).

#### Disabilities Advisory Council

**April 28, 2005 - 10 a.m.** -- Open Meeting


Virginia Office for Protection and Advocacy, 1910 Byrd Avenue, Suite 5, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A regular meeting. Public comment is welcome and will be received at the beginning of the meeting. For those needing interpreter services or other accommodations, please contact Delicia (Dee) Vance by April 14, 2005.


**Contact:** Delicia (Dee) Vance, Outreach Advocate, Virginia Office for Protection and Advocacy, 1910 Byrd Avenue, Suite 5, Richmond, Virginia 23230, telephone (804) 662-7099, FAX (804) 662-7057, toll-free (800) 552-3962, (804) 225-2042/TTY , e-mail [delicia.vance@vopa.virginia.gov](mailto:delicia.vance@vopa.virginia.gov).

#### VIRGINIA RETIREMENT SYSTEM

**May 17, 2005 - Noon** -- Open Meeting

Virginia Retirement System Headquarters Building, 1200 East Main Street, Richmond, Virginia. 

A regular meeting of the Optional Retirement Plan Advisory Committee. No public comment will be received at the meeting.


**Contact:** LaShaunda B. King, Executive Assistant, Virginia Retirement System, 1200 E. Main Street, Richmond, VA 23219, telephone (804) 649-8059, FAX (804) 786-1541, toll-free (888) 827-3847, (804) 344-3190/TTY , or e-mail [lkng@vrs.state.va.us](mailto:lkng@vrs.state.va.us).

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# Calendar of Events

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**May 18, 2005 - 11 a.m.** -- Open Meeting

Bank of America, 1111 East Main Street, Virginia Retirement System Investment Department, Pavilion, 4th Floor, Richmond, Virginia. 

A regular meeting of the Investment Advisory Committee. No public comment will be received at the meeting.

**Contact:** Phyllis Henderson, Executive Assistant, Virginia Retirement System, 1200 E. Main St., Richmond, VA 23219, telephone (804) 697-6675, FAX (804) 786-1541, toll-free (888) 827-3847, (804) 344-3190/TTY , e-mail phenderson@vrs.state.va.us.


**May 18, 2005 - 2:30 p.m.** -- Open Meeting

Virginia Retirement System Headquarters Building, 1200 East Main Street, Richmond, Virginia. 


A regular meeting of the following committees:

- 2:30 p.m. - Benefits and Actuarial Committee
- 4 p.m. - Audit and Compliance Committee
- 4 p.m. - Administration and Personnel Committee


No public comment will be received at the meetings.

**Contact:** LaShaunda B. King, Executive Assistant, Virginia Retirement System, 1200 E. Main Street, Richmond, VA 23219, telephone (804) 649-8059, FAX (804) 786-1541, toll-free (888) 827-3847, (804) 344-3190/TTY , or e-mail lking@vrs.state.va.us.

**May 19, 2005 - 9 a.m.** -- Open Meeting

Virginia Retirement System Headquarters Building, 1200 East Main Street, Richmond, Virginia. 


A regular meeting of the Board of Trustees. No public comment will be received at the meeting.

**Contact:** LaShaunda B. King, Executive Assistant, Virginia Retirement System, 1200 E. Main Street, Richmond, VA 23219, telephone (804) 649-8059, FAX (804) 786-1541, toll-free (888) 827-3847, (804) 344-3190/TTY , or e-mail lking@vrs.state.va.us.

**June 1, 2005 - 8 a.m.** -- Canceled

Location to be determined at a later date. 

The Board of Trustees annual retreat has been rescheduled to August. Details will be posted at a later date.

**Contact:** LaShaunda B. King, Executive Assistant, Virginia Retirement System, 1200 E. Main St., Richmond, VA 23219, telephone (804) 649-8059, FAX (804) 786-1541, toll-free (888) 827-3847, (804) 344-3190/TTY , e-mail lking@vrs.state.va.us.

## LEGISLATIVE

### VIRGINIA CODE COMMISSION

**April 20, 2005 - 9 a.m.** -- Open Meeting

Charlottesville Courtyard by Marriott at University of Virginia, 1201 West Main Street, Charlottesville, Virginia.

A meeting to discuss the Commission's 2005 Workplan and begin working on the 2007 Code of Virginia publication project.

**Contact:** Jane Chaffin, Registrar of Regulations, Virginia Code Commission, General Assembly Building, 2nd Floor, 910 Capitol Street, Richmond, VA 23219, telephone (804) 786-3591, FAX (804) 692-0625 or e-mail jchaffin@leg.state.va.us.

### VIRGINIA FREEDOM OF INFORMATION ADVISORY COUNCIL

**† June 15, 2005 - 1 p.m.** -- Open Meeting


General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia. 

An agenda for the meeting will be posted on this site as soon as it is available.

**Contact:** Maria Everett, Executive Director, Virginia Freedom of Information Advisory Council, 910 Capitol St., 2nd Floor, Richmond, VA 23219, telephone (804) 255-3056, FAX (804) 371-0169, toll-free (866) 448-4100.

### VIRGINIA HOUSING COMMISSION

**† April 28, 2005 - 2 p.m.** -- Open Meeting


General Assembly Building, 9th and Broad Streets, House Room C, Richmond, Virginia. 

An organizational meeting.

**Contact:** Lisa Gilmer, Division of Legislative Services, 910 Capitol St., 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591, FAX (804) 371-0169 or e-mail lgilmer@leg.state.va.us.

### ACCESS AND AFFORDABILITY WORKGROUP OF THE JOINT SUBCOMMITTEE STUDYING PUBLIC FUNDING OF HIGHER EDUCATION IN VIRGINIA

**† May 4, 2005 - 10 a.m.** -- Open Meeting

General Assembly Building, 9th and Broad Streets, Senate Room B, Richmond, Virginia. 

The initial meeting of the subcommittee. For questions regarding the meeting agenda, contact Amy Sebring, Senate Finance Committee, (804) 698-7480, or Tony Maggio, House Appropriations Committee Staff, (804) 698-1590.

**Contact:** Hobie Lehman, Senate Committee Operations, General Assembly Bldg., 910 Capitol St., Richmond, VA 23219, telephone (804) 698-7450.



**CHRONOLOGICAL LIST**

**OPEN MEETINGS**

**April 18**

Business Assistance, Department of  
 - Small Business Advisory Board  
 † Economic Development Partnership, Virginia  
 Education, Department of  
 - Advisory Board on Teacher Education and Licensure  
 Environmental Quality, Department of

**April 19**

Arts, Virginia Commission for the  
 Aviation Board, Virginia  
 Contractors, Board for  
 † Mines, Minerals and Energy, Department of  
 - Virginia Gas and Oil Board  
 Nursing, Board of  
 † Social Services, State Board of

**April 20**

Agriculture and Consumer Services, Department of  
 - Virginia Marine Products Board  
 Aviation Board, Virginia  
 Code Commission, Virginia  
 Education, Board of  
 Geology, Board for  
 Medicine, Board of  
 Nursing Home Administrators, Board of  
 Real Estate Appraiser Board  
 Social Services, State Board of  
 Transportation Board, Commonwealth  
 Treasury Board

**April 21**

Arts, Virginia Commission for the  
 Barbers and Cosmetology, Board for  
 Contractors, Board for  
 Design-Build/Construction Management Review Board  
 Education, Board of  
 † Fire Services Board, Virginia  
 Manufactured Housing Board, Virginia  
 Pesticide Control Board  
 Pharmacy, Board of  
 Real Estate Board  
 Social Services, State Board of  
 Transportation Board, Commonwealth  
 † William and Mary, The College of

**April 22**

Accountancy, Board of  
 † Agriculture and Consumer Services, Department of  
 - Virginia Pork Industry Board  
 † Fire Services Board, Virginia  
 Medical Assistance Services, Department of  
 Medicine, Board of  
 Physical Therapy, Board of  
 † William and Mary, The College of

**April 25**

Alcoholic Beverage Control Board  
 † Economic Development Partnership, Virginia  
 † Protection and Advocacy, Board for  
 † Public Broadcasting Board, Virginia

**April 26**

Arts, Virginia Commission for the  
 † Contractors, Board for  
 Marine Resources Commission  
 † Medicine, Board of  
 Protection and Advocacy, Board for

**April 27**

† Cemetery Board  
 Compensation Board  
 † Economic Development Partnership, Virginia  
 Small Business Financing Authority, Virginia  
 † Technology Services, Council on  
 Water Control Board, State

**April 28**

Arts, Virginia Commission for the  
 † Conservation and Recreation, Department of  
 Environmental Quality, Department of  
 † Housing Commission, Virginia  
 Protection and Advocacy, Virginia Office for  
 - Disabilities Advisory Council

**May 2**

Branch Pilots, Board for

**May 3**

Arts, Virginia Commission for the  
 † Contractors, Board for  
 Funeral Directors and Embalmers, Board of  
 Museum of Fine Arts, Virginia  
 Real Estate Appraiser Board

**May 4**

Architects, Professional Engineers, Land Surveyors,  
 Certified Interior Designers and Landscape Architects,  
 Board for  
 Jamestown-Yorktown Foundation  
 † Medicine, Board of  
 † Public Broadcasting Board, Virginia  
 † Public Funding of Higher Education in Virginia, Access  
 and Affordability Workgroup of the Joint Subcommittee  
 Studying  
 † Water Control Board, State

**May 5**

Arts, Virginia Commission for the  
 Contractors, Board for  
 Environmental Quality, Department of  
 Medicine, Board of

**May 6**

Art and Architectural Review Board  
 Environmental Quality, Department of

**May 9**

Alcoholic Beverage Control Board  
 Local Government, Commission on

**May 10**

Architects, Professional Engineers, Land Surveyors,  
 Certified Interior Designers and Landscape Architects,  
 Board for  
 Arts, Virginia Commission for the  
 Funeral Directors and Embalmers, Board of  
 † Resources Authority, Virginia

**May 11**

† Agriculture and Consumer Services, Department of  
 Deaf and Hard-of-Hearing, Department for the  
 Information Technologies Agency, Virginia  
 - E-911 Wireless Service Board

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# Calendar of Events

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- Technology Services, Council on  
Veterans Services, Department of  
- Joint Leadership Council of Veterans Service  
Organizations
- May 12**  
Architects, Professional Engineers, Land Surveyors,  
Certified Interior Designers and Landscape Architects,  
Board for  
Arts, Virginia Commission for the  
† Contractors, Board for  
Criminal Justice Services Board  
Information Technologies Agency, Virginia  
- Virginia Geographic Information Network Advisory Board  
† Real Estate Board  
† Virginia's Future, Council on
- May 13**  
Child Fatality Review Team, State  
Dentistry, Board of
- May 16**  
Nursing, Board of  
Old Dominion University
- May 17**  
Architects, Professional Engineers, Land Surveyors,  
Certified Interior Designers and Landscape Architects,  
Board for  
Corrections, Board of  
Education, Department of  
- State Special Education Advisory Committee  
† Environmental Quality, Department of  
Nursing, Board of  
Research and Technology Advisory Commission, Virginia  
Retirement System, Virginia
- May 18**  
Asbestos, Lead, and Home Inspectors, Virginia Board for  
Community Colleges, State Board for  
Corrections, Board of  
Medical Assistance Services, Department of  
† Museum of Fine Arts, Virginia  
Nursing, Board of  
Real Estate Board  
Retirement System, Virginia  
Sewage Handling and Disposal Appeal Review Board
- May 19**  
Aging, Commonwealth Council on  
Architects, Professional Engineers, Land Surveyors,  
Certified Interior Designers and Landscape Architects,  
Board for  
Audiology and Speech-Language Pathology, Board of  
Community Colleges, State Board for  
Design-Build/Construction Management Review Board  
Jamestown-Yorktown Foundation  
† Museum of Fine Arts, Virginia  
Nursing, Board of  
Real Estate Board  
Retirement System, Virginia
- May 20**  
Dentistry, Board of  
Jamestown-Yorktown Foundation  
Medicine, Board of  
† Museum of Natural History, Virginia
- May 21**  
† Museum of Natural History, Virginia
- May 23**  
Alcoholic Beverage Control Board
- May 24**  
Environmental Quality, Department of  
Marine Resources Commission  
† Water Control Board, State
- May 25**  
Contractors, Board for  
Education, Board of  
Milk Commission, State
- June 2**  
Counseling, Board of  
Polygraph Examiners Advisory Board
- June 3**  
Art and Architectural Review Board  
Counseling, Board of
- June 6**  
Alcoholic Beverage Control Board  
Professional and Occupational Regulation, Board for
- June 7**  
Alzheimer's Disease and Related Disorders Commission  
Arts, Virginia Commission for the  
Charitable Gaming Board  
Contractors, Board for  
Funeral and Directors and Embalmers, Board of  
Nursing, Board of  
Pharmacy, Board of
- June 8**  
Arts, Virginia Commission for the  
Cemetery Board  
Jamestown-Yorktown Foundation  
Nursing, Board of  
Veterans Services, Department of  
† Water Control Board, State
- June 9**  
Criminal Justice Services Board
- June 10**  
Health, Department of
- June 13**  
Library Board, State  
Nursing, Board of  
People with Disabilities, Virginia Board for
- June 14**  
Medical Assistance Services, Board of  
Nursing, Board of  
Old Dominion University  
People with Disabilities, Virginia Board for
- June 15**  
At-Risk Youth and Families, Comprehensive Services for  
† Freedom of Information Advisory Council, Virginia  
† Social Services, State Board of
- June 16**  
Architects, Professional Engineers, Land Surveyors,  
Certified Interior Designers and Landscape Architects,  
Board for  
Design-Build/Construction Management Review Board  
Labor and Industry, Department of  
- Virginia Apprenticeship Council  
Museum of Fine Arts, Virginia  
† Social Services, State Board of
- June 17**  
Health Professions, Department of

- Health Practitioners' Intervention Program Committee

**June 20**

Alcoholic Beverage Control Board

**June 22**

Education, Board of  
Nursing and Medicine, Joint Boards of  
Waterworks and Wastewater Works Operators, Board for

**June 23**

Technology Services, Council on

**June 25**

† Blind and Vision Impaired, Department of the

**June 28**

Marine Resources Commission

**June 29**

Accountancy, Board of

**June 30**

† Public Guardian and Conservator Advisory Board, Virginia

**July 5**

† Alcoholic Beverage Control Board

**July 7**

† Water Control Board, State

**July 8**

† Art and Architectural Review Board  
† Dentistry, Board of

**July 12**

† Child Fatality Review Team, State  
† Psychology, Board of

**July 13**

† Information Technologies Agency, Virginia  
- E-911 Wireless Service Board

**July 14**

† Medicine, Board of

**July 18**

† Alcoholic Beverage Control Board  
† Hearing Aid Specialists, Board for  
† Nursing, Board of

**May 12**

Water Control Board, State

**May 16**

Water Control Board, State

**May 17**

Water Control Board, State

**May 19**

† Air Pollution Control Board, State

## PUBLIC HEARINGS

**April 18**

Environmental Quality, Department of

**April 19**

† Health, Department of

**April 20**

Air Pollution Control Board, State

**April 22**

Accountancy, Board of  
† Health Department of

**April 25**

Pharmacy, Board of

**April 27**

† Health, Department of

**May 4**

Water Control Board, State

**May 5**

Water Control Board, State

**May 9**

Water Control Board, State

**May 10**

Water Control Board, State

**May 11**

Water Control Board, State

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# Calendar of Events

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