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CUMULATIVE TABLE OF VIRGINIA ADMINISTRATIVE CODE SECTIONS ADOPTED, AMENDED, OR REPEALED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printed below lists regulation sections, by Virginia Administrative Code (VAC) title, that have been amended, added or repealed in the *Virginia Register* since the regulations were originally published or last supplemented in VAC (the Spring 2005 VAC Supplement includes final regulations published through *Virginia Register* Volume 21, Issue 11, dated February 7, 2005). 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.

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Title 4. Conservation and Natural Resources			
4 VAC 20-170-10 emer	Amended	21:16 VA.R. 2219	4/1/05-4/30/05
4 VAC 20-170-30 emer	Amended	21:16 VA.R. 2219	4/1/05-4/30/05
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 20-252-135 emer	Added	21:16 VA.R. 2219	4/1/05-4/30/05
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 20-320-20 emer	Amended	21:16 VA.R. 2220	4/1/05-4/30/05
4 VAC 20-320-65 emer	Added	21:16 VA.R. 2220	4/1/05-4/30/05
4 VAC 20-430-10 emer	Amended	21:16 VA.R. 2220	4/1/05-4/30/05
4 VAC 20-430-15 emer	Amended	21:16 VA.R. 2220	4/1/05-4/30/05
4 VAC 20-430-65 emer	Added	21:16 VA.R. 2220	4/1/05-4/30/05
4 VAC 20-450-30	Amended	21:13 VA.R. 1827	2/2/05
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 20-720-10 emer	Amended	21:12 VA.R. 1563	2/1/05-2/28/05
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 20-720-49 emer	Added	21:14 VA.R. 2016	3/1/05-3/9/05
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 20-720-110 emer	Amended	21:12 VA.R. 1565	2/1/05-2/28/05
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 20-950-45	Amended	21:16 VA.R. 2191	4/1/05
4 VAC 20-950-48	Amended	21:13 VA.R. 1828	2/2/05
4 VAC 20-1065-10 through 4 VAC 20-1065-40	Added	21:12 VA.R. 1523	2/1/05
4 VAC 20-1080-10 through 4 VAC 20-1080-50 emer	Added	21:16 VA.R. 2221	4/1/05-4/30/05
Title 6. Criminal Justice and Corrections			
6 VAC 20-130-60	Amended	21:16 VA.R. 2192	5/18/05
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
Title 8. Education			
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

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

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8 VAC 20-210-10	Erratum	21:13 VA.R. 1941	--
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
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
Title 9. Environment			
9 VAC 5-10-20	Amended	21:15 VA.R. 2112	5/4/05
9 VAC 5-20-204	Amended	21:15 VA.R. 2119	5/4/05
9 VAC 5-40-6620	Amended	21:15 VA.R. 2120	5/4/05
9 VAC 5-40-7260	Erratum	21:13 VA.R. 1941	--
9 VAC 5-40-7270	Erratum	21:13 VA.R. 1941	--
9 VAC 20-80 (Forms)	Amended	21:13 VA.R. 1930	--
9 VAC 20-130 (Forms)	Amended	21:13 VA.R. 1930	--
9 VAC 25-31-10	Erratum	21:13 VA.R. 1941	--
9 VAC 25-31-100	Erratum	21:14 VA.R. 2022	--
9 VAC 25-31-120	Erratum	21:13 VA.R. 1941	--
9 VAC 25-720-50	Amended	21:12 VA.R. 1526	3/23/05
9 VAC 25-720-60	Amended	21:17 VA.R. 2302	6/1/05
9 VAC 25-720-80	Amended	21:12 VA.R. 1527	3/23/05
9 VAC 25-720-80	Amended	21:17 VA.R. 2302	6/1/05
9 VAC 25-720-90	Amended	21:12 VA.R. 1527	3/23/05
9 VAC 25-720-100	Amended	21:17 VA.R. 2303	6/1/05
9 VAC 25-720-130	Amended	21:12 VA.R. 1528	3/23/05
9 VAC 25-720-130	Amended	21:17 VA.R. 2303	6/1/05
Title 11. Gaming			
11 VAC 10-180-10	Amended	21:16 VA.R. 2197	5/18/05
11 VAC 10-180-20	Amended	21:16 VA.R. 2193	3/31/03
11 VAC 10-180-20	Amended	21:16 VA.R. 2198	5/18/05
11 VAC 10-180-30	Repealed	21:16 VA.R. 2199	5/18/05
11 VAC 10-180-40	Repealed	21:16 VA.R. 2200	5/18/05
11 VAC 10-180-50	Repealed	21:16 VA.R. 2200	5/18/05
11 VAC 10-180-60	Amended	21:16 VA.R. 2194	3/31/03
11 VAC 10-180-60 through 11 VAC 10-180-90	Amended	21:16 VA.R. 2202-2207	5/18/05
11 VAC 10-180-80	Amended	21:16 VA.R. 2196	3/31/03
11 VAC 10-180-85	Added	21:16 VA.R. 2206	5/18/05
11 VAC 10-180-90	Amended	21:16 VA.R. 2197	3/31/03
11 VAC 10-180-100	Added	21:16 VA.R. 2207	5/18/05
11 VAC 10-180-110	Added	21:16 VA.R. 2207	5/18/05
Title 12. Health			
12 VAC 5-410-10	Amended	21:12 VA.R. 1561	5/9/05
12 VAC 5-590-10	Amended	21:13 VA.R. 1829	4/6/05
12 VAC 5-590-140	Amended	21:16 VA.R. 2209	5/18/05
12 VAC 5-590-150	Amended	21:16 VA.R. 2212	5/18/05
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 5-590-530	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

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12 VAC 5-590, Appendix O	Amended	21:13 VA.R. 1901	4/6/05
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 30-50-490 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 30-80-40	Amended	21:15 VA.R. 2121	7/1/05
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 30-120-490 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
Title 13. Housing			
13 VAC 5-63-110	Erratum	21:14 VA.R. 2021	--
Title 15. Judicial			
15 VAC 5-50-10 through 15 VAC 5-50-210	Repealed	21:17 VA.R. 2304	4/13/05
15 VAC 5-60-10 through 15 VAC 5-60-240	Repealed	21:17 VA.R. 2304	4/13/05
Title 18. Professional and Occupational Licensing			
18 VAC 75-40-10	Added	21:16 VA.R. 2215	5/18/05
18 VAC 75-40-20	Added	21:16 VA.R. 2215	5/18/05
18 VAC 75-40-30	Added	21:16 VA.R. 2215	5/18/05
18 VAC 110-20-15	Added	21:15 VA.R. 2122	5/4/05
Title 22. Social Services			
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

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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
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 30-40-10	Amended	21:16 VA.R. 2215	5/18/05
22 VAC 30-40-70	Amended	21:16 VA.R. 2217	5/18/05
22 VAC 30-40-130	Amended	21:16 VA.R. 2218	5/18/05
22 VAC 30-40-140	Amended	21:16 VA.R. 2218	5/18/05
22 VAC 30-40-150	Amended	21:16 VA.R. 2218	5/18/05
Title 24. Transportation and Motor Vehicles			
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 30-91-10	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 30-620-10	Amended	21:15 VA.R. 2123	5/22/05
24 VAC 30-620-30	Amended	21:15 VA.R. 2123	5/22/05

PETITIONS FOR RULEMAKING

TITLE 18. PROFESSIONAL AND OCCUPATIONAL LICENSING

BOARD OF DENTISTRY

Initial Agency Notice

Title of Regulation: **18 VAC 60-20. Regulations Governing the Practice of Dentistry and Dental Hygiene.**

Statutory Authority: §§ 54.1-2400 and 54.1-2709 of the Code of Virginia.

Name of Petitioner: Dr. Najib Adi.

Nature of Petitioner's Request: To amend section 18 VAC 60-20-70 A to accept passage of the NERB examination taken by an applicant prior to January 1, 2005, or the examination of the National Dental Examining Board of Canada.

Agency's Plan for Disposition of Request: The board will consider the petition and any comment received at its next meeting on July 8, 2005.

Public comments may be submitted until June 8, 2005.

Agency Contact: Elaine J. Yeatts, Agency Regulatory Coordinator, Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, VA 23230, telephone (804) 662-9918, FAX (804) 662-9114, or e-mail elaine.yeatts@dhp.virginia.gov

VA.R. Doc. No. R05-177; Filed April 27, 2005, 9:53 a.m.

NOTICES OF INTENDED REGULATORY ACTION

Symbol Key

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

TITLE 6. CRIMINAL JUSTICE AND CORRECTIONS

CRIMINAL JUSTICE SERVICES BOARD

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Criminal Justice Services Board intends to consider promulgating regulations entitled **6 VAC 20-240, Regulations Relating to School Security Officers**. The purpose of the proposed action is to identify compulsory minimum standards for employment, entry-level and in-service training requirements and certification requirements for school security officers.

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

Statutory Authority: § 9.1-102 of the Code of Virginia.

Public comments may be submitted until June 15, 2005.

Contact: Donna Bowman, Manager, Center for School Safety, Department of Criminal Justice Services, 805 E. Broad St., Richmond, VA 23219, telephone (804) 371-6506, FAX (804) 371-8981 or e-mail donna.bowman@dcjs.virginia.gov.

VA.R. Doc. No. R05-188; Filed May 5, 2005, 10:04 a.m.



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.

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

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 adopting regulations entitled **9 VAC 25-820, General Virginia Pollutant Discharge Elimination System (VPDES) Watershed Permit Regulation for Total Nitrogen and Total Phosphorus Discharges and Nutrient Trading in the Chesapeake Bay Watershed in Virginia**. The purpose of the proposed action is to establish a general VPDES permit for annual maximum VPDES permitted point source discharge limitations for total nitrogen and total phosphorus to the Chesapeake Bay Watershed and a nutrient trading mechanism.

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.

Public comments may be submitted until June 1, 2005.

Contact: Allan Brockenbrough, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4147, FAX (804) 698-4032 or e-mail abrockenbrough@deq.virginia.gov.

VA.R. Doc. No. R05-175; Filed April 14, 2005, 9:48 a.m.



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*.

Notices of Intended Regulatory Action

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.

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



PROPOSED REGULATIONS

For information concerning Proposed Regulations, see Information Page.

Symbol Key

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

TITLE 9. ENVIRONMENT

STATE WATER CONTROL BOARD

REGISTRAR'S NOTICE: The following regulation filed by the State Water Control Board is exempt from the Administrative Process Act in accordance with § 2.2-4006 A 9 of the Code of Virginia, which exempts general permits issued by the State Water Control Board pursuant to the State Water Control Law (§ 62.1-44.2 et seq.), Chapter 24 (§ 62.1-242 et seq.) of Title 62.1 and Chapter 25 (§ 62.1-254 et seq.) of Title 62.1 of the Code of Virginia if the board (i) provides a Notice of Intended Regulatory Action in conformance with the provisions of § 2.2-4007 B, (ii) following the passage of 30 days from the publication of the Notice of Intended Regulatory Action forms a technical advisory committee composed of relevant stakeholders, including potentially affected citizens groups, to assist in the development of the general permit, (iii) provides notice and receives oral and written comment as provided in § 2.2-4007 F, and (iv) conducts at least one public hearing on the proposed general permit.

Title of Regulation: **9 VAC 25-110. Virginia Pollutant Discharge Elimination System (VPDES) General Permit for Domestic Sewage Discharges of Less Than or Equal to 1,000 Gallons Per Day (amending 9 VAC 25-110-10, 9 VAC 25-110-20, 9 VAC 25-110-60, 9 VAC 25-110-70, and 9 VAC 25-110-80).**

Statutory Authority: § 62.1-44.15 of the Code of Virginia; § 402 of the Clean Water Act; 40 CFR Parts 122, 123 and 124.

Public Hearing Date: June 9, 2005 - 10 a.m.

Public comments may be submitted until 5 p.m. on July 15, 2005.

(See Calendar of Events section for additional information)

Agency Contact: Burton Tuxford, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4086, FAX (804) 698-4032, or e-mail brtuxford@deq.virginia.gov.

Summary:

The proposed amendments reissue the existing general VPDES permit for domestic sewage discharges of less than or equal to 1,000 gallons per day that will expire on August 1, 2006. The permit sets forth guidelines for the permitting of discharges of treated wastewater from small volume sources of domestic sewage. These plants are typically installed at individual homes, duplexes, churches, gas stations, etc., when central sewer is not available and the soil conditions prohibit the use of onsite disposal methods such as septic tanks and drainfields. The significant revisions to the regulation are as follows:

The effluent limitations have been revised to recognize changes in the Water Quality Standards (9 VAC 25-260) regarding bacteria standards and disinfection policy. Recent study results indicate that chlorine appears to be an appropriate surrogate for E. coli when the discharge is into freshwater. When methods other than chlorine are used and the discharge is into freshwater, the E. coli standard applies. When the discharge is into saltwater or a transition zone, the enterococci standard applies. For discharges into shellfish waters, in addition to the appropriate chlorine, E. coli or enterococci limits, the general permit will continue to limit fecal coliform because the Virginia Department of Health, Bureau of Shellfish Sanitation, still uses fecal coliform as an indicator for determining the quality of shellfish waters.

The submittal of a copy of the maintenance contract along with the registration statement is no longer required for existing facilities. However, the name of the contract provider and the expiration date of the current contract must be provided.

The submittal of an operation and maintenance plan for existing facilities will not be required if the operation and maintenance plan has been approved previously and remains current and complete. Also, installation of an electric timer is no longer included as part of the operation and maintenance plan.

Deadlines for submitting a registration statement have been expanded to cover both new and existing facilities.

9 VAC 25-110-10. Definitions.

The words and terms used in this chapter shall have the same meanings as given in the State Water Control Law, Chapter 3.1 (§ 62.1-44.2 et seq.) of Title 62.1 of the Code of Virginia and ~~9 VAC 25-31-10 et seq.~~ (the VPDES Permit Regulation) (9 VAC 25-31), unless the context clearly indicates otherwise, except that for the purposes of this chapter:

"DEQ" means the Virginia Department of Environmental Quality or the department.

"Domestic sewage" means the water-carried human wastes from residences, buildings, industrial establishments or other places.

9 VAC 25-110-20. Purpose; delegation of authority; effective date of permit.

A. This general permit regulation governs domestic sewage discharges to surface waters from treatment works with a design discharge flow of less than or equal to 1,000 gallons per day on a monthly average.

B. The Director of the Department of Environmental Quality, or his designee, may perform any act of the board provided under this chapter, except as limited by § 62.1-44.14 of the Code of Virginia.

C. This general VPDES permit will become effective on August 1, ~~2004~~ 2, 2006, and it expires on August 1, ~~2006~~ 2011. With respect to a particular facility, this general permit shall become effective upon the facility owner's compliance with the provisions of 9 VAC 25-110-60 and receipt of a copy of the general VPDES permit.

9 VAC 25-110-60. Authorization to discharge.

A. Any owner of a treatment works governed by this general permit is hereby authorized to discharge treated domestic sewage to surface waters of the Commonwealth of Virginia provided that the owner has filed with the department the registration statement described in 9 VAC 25-110-70, has complied with the effluent limitations and other requirements of 9 VAC 25-110-80, and has complied with all the following conditions:

1. The owner shall not have been required to obtain an individual VPDES permit as may be required in 9 VAC 25-31-170 B;
2. The owner shall not be authorized by this general permit to discharge to surface waters specifically named in other board regulations or policies that prohibit such discharges;
3. The owner shall not be authorized by this general permit to discharge to surface waters where there are central sewage facilities reasonably available, as determined by the department; and
4. The owner of any proposed treatment works or any treatment works that has not previously been issued a valid VPDES permit shall have applied to the Virginia Department of Health for an onsite sewage disposal system permit and the Virginia Department of Health must have determined that there is no technology available to serve that parcel of land with an onsite system.

B. Receipt of this general VPDES permit does not relieve any owner of the responsibility to comply with any other applicable federal, state or local statute, ordinance or regulation, including applicable regulations of the Virginia Department of Health adopted pursuant to §§ 32.1-163 and 32.1-164 of the Code of Virginia *and, for any owner of sewage treatment works that serve nonsingle family dwellings, the Sewage Collection and Treatment Regulations (9 VAC 25-790) adopted by the State Water Control Board pursuant to § 62.1-44.18 of the Code of Virginia.*

9 VAC 25-110-70. Registration statement.

A. Deadlines for submitting registration statement. The owner shall file a complete General VPDES Permit Registration Statement, *which shall serve as a notice of intent to be covered under the general VPDES permit* for domestic sewage discharges of less than or equal to 1,000 gallons per day *in accordance with this chapter.*

1. *New facilities.* Any owner proposing a new discharge shall file a complete registration statement with the department at least 60 days prior to the date planned for commencing ~~construction~~ or operation of the treatment works ~~from which the discharge will emanate.~~
2. *Existing facilities.*

a. Any owner of an existing treatment works covered by an individual VPDES permit who ~~proposes~~ *is proposing* to be covered by this general permit shall file a complete registration statement at least 180 days prior to the expiration date of the individual VPDES permit.

b. ~~To avoid a lapse in permit coverage,~~ Any owner of an existing treatment works that was authorized to discharge under the general permit issued in ~~1996~~ 2001 shall have filed a complete registration statement prior to ~~August 1, 2004~~ June 2, 2006.

c. *Any owner of an existing treatment works not currently covered by a VPDES permit who is proposing to be covered by this general permit shall file a complete registration statement by August 2, 2006.*

3. *New owners of existing facilities.* Any new owner of an existing facility that is covered by this general permit must submit a registration statement or a "Change of Ownership" form within 30 days of the ownership change.

4. *Late notifications.* Any owner of a new or existing facility is not precluded from submitting a registration statement after the applicable dates provided in subdivisions 1, 2 and 3 of this subsection. If a late registration statement is submitted, the owner is only authorized for discharges that occur after permit coverage is granted. The department reserves the right to take appropriate enforcement actions for any unpermitted discharges.

B. Registration statement. The ~~owner shall submit a~~ registration statement ~~that contains~~ *shall contain* the following information:

1. Name and location of the facility/residence.
2. Name, mailing address, and work and home telephone numbers of the facility owner. Indicate if the owner is or will be the occupant of the facility.
3. Name of the water body receiving the discharge. Indicate if the discharge point is on a stream that usually flows during dry weather.
4. The amount of discharge, in gallons per day, on a monthly average.
5. A description of any pollutants, other than domestic sewage, to be discharged.
6. If there are central sewage facilities available to serve this facility.
7. If the facility currently has a VPDES permit. Provide the permit number, if applicable. Indicate if the facility has been built and begun discharge.
8. For the owner of any proposed treatment works or any treatment works that has not previously been issued a valid VPDES permit:

a. A topographic map that indicates the discharge point, the location of the property to be served by the treatment works, and the location of any wells, springs, and other water bodies, or downstream residences within 1/2 mile downstream from the discharge;

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b. A site diagram of the existing or proposed sewage treatment works; *and* including the property boundaries, the location of the facility/residence to be served, the individual sewage treatment units, the receiving water body, and the discharge line location; and

c. A notification from the Virginia Department of Health that an onsite sewage disposal system permit has been applied for and that the Virginia Department of Health has determined that there is no technology available to serve that parcel of land with an onsite system.

9. For the owner of any existing treatment works, ~~a copy of indicate if a valid maintenance contract has been obtained, or if an exception to the maintenance contract has been requested and granted in accordance with subdivision 10 of this subsection. Provide the name of the contract provider and the expiration date of the current contract, if applicable.~~ A valid maintenance contract ~~that provides shall provide~~ for the following:

a. Performance of all testing required in accordance with 9 VAC 25-110-80 Part I A and periodic inspections of the treatment works;

b. A written notification to the owner within 24 hours whenever the contract provider becomes aware that maintenance or repair of the owner's treatment works is necessary. The owner is responsible for prompt maintenance and repair of the treatment works including all costs associated with the maintenance or repair. Immediately upon receipt of notice that repair or maintenance is required, the owner shall begin emergency pump and haul of all sewage generated in the dwelling if full and complete repairs cannot be accomplished within 48 hours.

c. A log of the following items will be maintained by the contract provider:

- (1) Results of all tests and sampling;
- (2) Alarm activation incidents;
- (3) Maintenance, corrective, or repair activities performed;
- (4) Recommended repair or replacement items; and
- (5) Copies of all reports prepared by the contract provider.

d. An inspection will be conducted by the contract provider within 48 hours after notification by the owner that a problem may be occurring; and

e. A minimum of 24 months of consecutive coverage under the maintenance contract.

10. The owner of any existing treatment works may request an exception to the maintenance contract requirement by submitting an operation and maintenance plan to the department for review and approval. *If an operation and maintenance plan has been approved by the department previously and remains current and complete, then it does not need to be resubmitted. In such cases, provide the date of approval of the operation and maintenance plan and*

identify any changes have been made to the approved operation and maintenance plan. At a minimum, the operation and maintenance plan shall contain the following information:

a. An up-to-date operation and maintenance manual for the treatment works;

b. A log of maintenance performed on the plant including, but not limited to, the following:

(1) The date and amount of disinfection chemicals added to the chlorinator.

(2) If dechlorination is used, the date and amount of any dechlorination chemicals that are added.

(3) The date and time of equipment failure(s) and the date and time the equipment was restored to service.

(4) The date and approximate volume of sludge removed;

c. Dated receipts for chemicals purchased, equipment purchased, and maintenance performed; *and*

~~d. Proof of installation of a nonresettable elapsed time meter for electric motor driven equipment; and~~

~~e. d.~~ An effluent monitoring plan in accordance with the requirements of 9 VAC 25-110-80 Part I A, *including all sample collection, preservation, and analysis procedures.*

11. The following certification: "I hereby grant to duly authorized agents of the Department of Environmental Quality, upon presentation of credentials, permission to enter the property where the treatment works is located for the purpose of determining compliance with or the suitability of coverage under the General Permit. I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment for knowing violations."

The registration statement shall be signed in accordance with the requirements of 9 VAC 25-31-110.

9 VAC 25-110-80. General permit.

Any owner whose registration statement is accepted by the board will receive the following permit and shall comply with the requirements contained therein and be subject to all requirements of 9 VAC 25-31-170.

Proposed Regulations

General Permit No.: VAG40

Effective Date: August 1, ~~2004~~ 2, 2006

Expiration Date: August 1, ~~2006~~ 2011

**GENERAL PERMIT FOR DOMESTIC SEWAGE
DISCHARGES OF LESS THAN OR EQUAL TO 1,000
GALLONS PER DAY**

**AUTHORIZATION TO DISCHARGE UNDER THE VIRGINIA
POLLUTANT DISCHARGE ELIMINATION SYSTEM AND
THE VIRGINIA STATE WATER CONTROL LAW**

In compliance with the provisions of the Clean Water Act (33 USC § 1251 et seq.), as amended, and pursuant to the State

Water Control Law and regulations adopted pursuant thereto, owners of treatment works with domestic sewage discharges of a design flow of less than or equal to 1,000 gallons per day on a monthly average are authorized to discharge to surface waters within the boundaries of the Commonwealth of Virginia, except those waters specifically named in board regulations or policies that prohibit such discharges.

The authorized discharge shall be in accordance with this cover page, Part I-Effluent Limitations, Monitoring Requirements and Special Conditions, and Part II-Conditions Applicable to All VPDES Permits, as set forth herein.

Part I

Effluent Limitations, Monitoring Requirements and Special Conditions

A. Effluent limitations and monitoring requirements - *receiving waters where the 7Q10 flows are less than 0.2 MGD.*

1. During the period beginning with the permit's effective date and lasting until the permit's expiration date, the permittee is authorized to discharge from outfall ~~serial~~ number 001 to receiving waters where the 7Q10 flows are less than 0.2 MGD.

~~Such discharge~~ *The discharge shall be limited and monitored by the permittee as specified below:*

<u>EFFLUENT CHARACTERISTICS</u>	<u>DISCHARGE LIMITATIONS</u>		<u>MONITORING REQUIREMENTS</u>	
	<u>Instantaneous Minimum</u>	<u>Instantaneous Maximum</u>	<u>Frequency</u>	<u>Sample Type</u>
Flow (MGD) *	NA	NL	1/year	Estimate
BOD ₅	NA	30 mg/1	1/year	Grab
Total Suspended Solids	NA	30 mg/1	1/year	Grab
Total Residual Chlorine **				
After contact tank	1.0 mg/1	NA	1/year	Grab
Final effluent	NA	Non-detectable 0.016 mg/1	1/year	Grab
<i>E. coli</i> ***	NA	235/100 ml	1/year	Grab
<i>enterococci</i> ****	NA	104/100 ml	1/year	Grab
Fecal Coliform Bacteria *****	NA	200/100 ml	1/year	Grab
pH (standard units)	6.0	9.0	1/year	Grab
Dissolved Oxygen	5.0 mg/1	NA	1/year	Grab
NL = No Limitation, monitoring required	NA = Not Applicable			

2. All monitoring data required by Part I A 1 shall be maintained on site in accordance with Part II B. Reporting of results to ~~the department DEQ~~ is not required; however, the monitoring results shall be made available to ~~the department DEQ~~ or Virginia Department of Health personnel upon request.

* The design flow of this treatment facility is less than or equal to 1,000 gallons per day.

** Applies only when chlorine is used for disinfection *and the discharge is in freshwater.* ~~Chlorine limitation of nondetectable is defined as <0.1 mg/l.~~ *The quantification level of chlorine shall be 0.1 mg/l.*

*** Applies only when methods other than chlorine are used for disinfection *and the discharge is in freshwater.* Continuous disinfection capability shall be provided in order to maintain this effluent limit.

**** Applies only when the discharge is in saltwater or transition zone. Continuous disinfection capability shall be provided in order to maintain this effluent limit.

***** Applies only when the discharge is in shellfish water. Continuous disinfection capability shall be provided in order to maintain this effluent limit.

3. 40 CFR 133.102(c) requires that the 30-day average percent removal for BOD₅ and total suspended solids shall not be less than 85%.

Proposed Regulations

Part I Effluent Limitations Monitoring Requirements and Special Conditions

A. Effluent limitations and monitoring requirements - receiving waters where the 7Q10 flows are equal to or greater than 0.2 MGD.

1. During the period beginning with the permit's effective date and lasting until the permit's expiration date, the permittee is authorized to discharge from outfall serial number 001 to receiving waters where the 7Q10 flows are equal to or greater than 0.2 MGD.

Such discharges ~~The discharge~~ shall be limited and monitored by the permittee as specified below:

<u>EFFLUENT CHARACTERISTICS</u>	<u>DISCHARGE LIMITATIONS</u>		<u>MONITORING REQUIREMENTS</u>	
	<u>Instantaneous Minimum</u>	<u>Instantaneous Maximum</u>	<u>Frequency</u>	<u>Sample Type</u>
Flow (MGD) *	NA	NL	1/year	Estimate
BOD ₅	NA	30 mg/1	1/year	Grab
Total Suspended Solids	NA	30 mg/1	1/year	Grab
Total Residual Chlorine **				
Final effluent	1.0 mg/1	2.0 mg/1	1/year	Grab
<i>E. coli</i> ***	NA	235/100 ml	1/year	Grab
<i>enterococci</i> ****	NA	104/100 ml	1/year	Grab
Fecal Coliform Bacteria *****	NA	200/100 ml	1/year	Grab
pH (standard units)	6.0	9.0	1/year	Grab
NL = No Limitation, monitoring required	NA = Not Applicable			

2. All monitoring data required by Part I A 1 shall be maintained on site in accordance with Part II B. Reporting of results to the ~~department~~ DEQ is not required; however, the monitoring results shall be made available to ~~department~~ DEQ or Virginia Department of Health personnel upon request.

* The design flow of this treatment facility is less than or equal to 1,000 gallons per day.

** Applies only when chlorine is used for disinfection *and the discharge is in freshwater*. ~~Chlorine limitation of nondetectable is defined as <0.1 mg/l.~~

*** Applies only when methods other than chlorine are used for disinfection *and the discharge is in freshwater*. Continuous disinfection capability shall be provided in order to maintain this effluent limit.

**** Applies only when the discharge is in saltwater or transition zone. Continuous disinfection capability shall be provided in order to maintain this effluent limit.

***** Applies only when the discharge is in shellfish water. Continuous disinfection capability shall be provided in order to maintain this effluent limit.

3. 40 CFR 133.102(c) requires that the 30-day average percent removal for BOD₅ and total suspended solids shall not be less than 85%.

B. Special conditions.

1. There shall be no discharge of floating solids or visible foam in other than trace amounts.

2. Schedule of compliance. This compliance schedule shall be allowed only for treatment works that were existing ~~on the effective date of~~ *as of their dates of coverage under this general permit*. Treatment works constructed after ~~the permit effective date~~ *their dates of coverage* are expected to comply with the limitations and conditions of the general permit from the date of operation. *For existing facilities that require upgrades*, the permittee shall install equipment or unit processes or make other physical modifications to the treatment works that are necessary to achieve compliance with the limitations and conditions of this permit within 180 days of the date of coverage under the permit. The modifications shall not be initiated until written authorization is first provided by the Virginia Department of Health or ~~the~~

~~Department of Environmental Quality DEQ~~. The permittee shall submit to the ~~Department of Environmental Quality DEQ~~ Regional Office a written notice certifying completion of any necessary modifications on or before the 180-day compliance deadline. If the permittee is unable to meet the deadline, a written notice shall be submitted that shall include the cause of the delay, any actions taken to eliminate the delay, and the projected date for compliance.

3. Maintenance contract. For existing treatment works, the permittee shall maintain a maintenance contract during the permit term, *unless an exception to the maintenance contract has been requested and granted in accordance with Part I B 4*. A copy of a valid maintenance contract shall be maintained at the site of treatment works and made available to ~~the department DEQ~~ or to the Virginia Department of Health for examination upon request. For proposed treatment works, the permittee shall submit a copy of a valid maintenance contract to ~~the department~~

DEQ prior to operation of the treatment works *unless an exception to the maintenance contract has been requested and granted in accordance with Part I B 4*. The maintenance contract shall provide for the following:

- a. Performance of all testing required in accordance with Part I A and periodic inspections of the treatment works;
 - b. A written notification to the owner within 24 hours whenever the contract provider becomes aware that maintenance or repair of the owner's treatment works is necessary. The owner is responsible for prompt maintenance and repair of the treatment works including all costs associated with the maintenance or repair. Immediately upon receipt of notice that repair or maintenance is required, the owner shall begin emergency pump and haul of all sewage generated in the dwelling if full and complete repairs cannot be accomplished within 48 hours;
 - c. A log of the following items will be maintained by the contract provider:
 - (1) Results of all tests and sampling;
 - (2) Alarm activation incidents;
 - (3) Maintenance, corrective, or repair activities performed;
 - (4) Recommended repair or replacement items; and
 - (5) Copies of all reports prepared by the contract provider;
 - d. An inspection will be conducted by the contract provider within 48 hours after notification by the owner that a problem may be occurring; and
 - e. A minimum of 24 months of consecutive coverage under the maintenance contract.
4. Operation and maintenance plan. The owner of any treatment works may request an exception to the maintenance contract requirement by submitting an operation and maintenance plan to ~~the department~~ DEQ for review and approval. At a minimum, the *operation and maintenance* plan shall contain the following information:
- a. An up-to-date operation and maintenance manual for the treatment works;
 - b. A log of maintenance performed on the plant including, but not limited to, the following:
 - (1) The date and amount of disinfection chemicals added to the chlorinator.
 - (2) If dechlorination is used, the date and amount of any dechlorination chemicals that are added.
 - (3) The date and time of equipment failure(s) and the date and time the equipment was restored to service.
 - (4) The date and approximate volume of sludge removed;
 - c. Dated receipts for chemicals purchased, equipment purchased, and maintenance performed; *and*

~~d. Proof of installation of a nonresettable elapsed time meter for electric motor driven equipment; and~~

e. *d.* An effluent monitoring plan in accordance with Part I A, *including all sample collection, preservation, and analysis procedures.*

Should the permittee fail to implement the approved operation and maintenance plan, or if there are violations of effluent limitations, ~~the department~~ DEQ reserves the right to require the permittee to obtain a maintenance contract.

Part II

Conditions Applicable to all VPDES Permits

A. Monitoring.

1. Samples and measurements taken as required by this permit shall be representative of the monitored activity.
2. Monitoring shall be conducted according to procedures approved under 40 CFR Part 136 or alternative methods approved by the U.S. Environmental Protection Agency, unless other procedures have been specified in this permit.
3. The permittee shall periodically calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals that will ensure accuracy of measurements.

B. Records.

1. Records of monitoring information shall include:
 - a. The date, exact place, and time of sampling or measurements;
 - b. The individual(s) who performed the sampling or measurements;
 - c. The date(s) and time(s) analyses were performed;
 - d. The individual(s) who performed the analyses;
 - e. The analytical techniques or methods used; and
 - f. The results of such analyses.
2. Except for records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five years, the permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the registration statement for this permit, for a period of at least three years from the date of the sample, measurement, report or request for coverage. This period of retention shall be extended automatically during the course of any unresolved litigation regarding the regulated activity or regarding control standards applicable to the permittee, or as requested by the board.

- #### C. Reporting monitoring results.
1. The permittee shall submit the results of the monitoring required by this permit not later than the 10th day of the

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month after monitoring takes place, unless another reporting schedule is specified elsewhere in this permit. Monitoring results shall be submitted to the department's regional office.

2. Monitoring results shall be reported on a Discharge Monitoring Report (DMR) or on forms provided, approved or specified by the department.

3. If the permittee monitors any pollutant specifically addressed by this permit more frequently than required by this permit using test procedures approved under 40 CFR Part 136 or using other test procedures approved by the U.S. Environmental Protection Agency or using procedures specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted on the DMR or reporting form specified by the department.

4. Calculations for all limitations that require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in this permit.

D. Duty to provide information. The permittee shall furnish to the department, within a reasonable time, any information that the board may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The board may require the permittee to furnish, upon request, such plans, specifications, and other pertinent information as may be necessary to determine the effect of the wastes from his discharge on the quality of state waters, or such other information as may be necessary to accomplish the purposes of the State Water Control Law. The permittee shall also furnish to the department, upon request, copies of records required to be kept by this permit.

E. Compliance schedule reports. Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.

F. Unauthorized discharges. Except in compliance with this permit, or another permit issued by the board, it shall be unlawful for any person to:

1. Discharge into state waters sewage, industrial wastes, other wastes, or any noxious or deleterious substances; or

2. Otherwise alter the physical, chemical or biological properties of such state waters and make them detrimental to the public health, to animal or aquatic life, to the use of such waters for domestic or industrial consumption, for recreation, or for other uses.

G. Reports of unauthorized discharges. Any permittee who discharges or causes or allows a discharge of sewage, industrial waste, other wastes or any noxious or deleterious substance into or upon state waters in violation of Part II F, or who discharges or causes or allows a discharge that may reasonably be expected to enter state waters in violation of Part II F, shall notify the department of the discharge immediately upon discovery of the discharge, but in no case later than 24 hours after said discovery. A written report of

the unauthorized discharge shall be submitted to the department within five days of discovery of the discharge. The written report shall contain:

1. A description of the nature and location of the discharge;
2. The cause of the discharge;
3. The date on which the discharge occurred;
4. The length of time that the discharge continued;
5. The volume of the discharge;
6. If the discharge is continuing, how long it is expected to continue;
7. If the discharge is continuing, what the expected total volume of the discharge will be; and
8. Any steps planned or taken to reduce, eliminate and prevent a recurrence of the present discharge or any future discharges not authorized by this permit.

Discharges reportable to the department under the immediate reporting requirements of other regulations are exempted from this requirement.

H. Reports of unusual or extraordinary discharges. If any unusual or extraordinary discharge including a bypass or upset should occur from a treatment works and the discharge enters or could be expected to enter state waters, the permittee shall promptly notify, in no case later than 24 hours, the department by telephone after the discovery of the discharge. This notification shall provide all available details of the incident, including any adverse affects on aquatic life and the known number of fish killed. The permittee shall reduce the report to writing and shall submit it to the department within five days of discovery of the discharge in accordance with Part II I 2. Unusual and extraordinary discharges include, but are not limited to, any discharge resulting from:

1. Unusual spillage of materials resulting directly or indirectly from processing operations;
2. Breakdown of processing or accessory equipment;
3. Failure or taking out of service some or all of the treatment works; and
4. Flooding or other acts of nature.

I. Reports of noncompliance. The permittee shall report any noncompliance that may adversely affect state waters or may endanger public health.

1. An oral report shall be provided within 24 hours from the time the permittee becomes aware of the circumstances. The following shall be included as information that shall be reported within 24 hours under this paragraph:

- a. Any unanticipated bypass; and
- b. Any upset that causes a discharge to surface waters.

2. A written report shall be submitted within five days and shall contain:

- a. A description of the noncompliance and its cause;

b. The period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and

c. Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

The board may waive the written report on a case-by-case basis for reports of noncompliance under Part II I if the oral report has been received within 24 hours and no adverse impact on state waters has been reported.

3. The permittee shall report all instances of noncompliance not reported under Part II I 1 or 2, in writing, at the time the next monitoring reports are submitted. The reports shall contain the information listed in Part II I 2.

NOTE: The immediate (within 24 hours) reports required in Parts II G, H and I may be made to the department's regional office. Reports may be made by telephone or by fax. For reports outside normal working hours, leave a message and this shall fulfill the immediate reporting requirement. For emergencies, the Virginia Department of Emergency Management maintains a 24-hour telephone service at 1-800-468-8892.

J. Notice of planned changes.

1. The permittee shall give notice to the department as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:

a. The permittee plans alteration or addition to any building, structure, facility, or installation from which there is or may be a discharge of pollutants, the construction of which commenced:

(1) After promulgation of standards of performance under Section 306 of Clean Water Act that are applicable to such source; or

(2) After proposal of standards of performance in accordance with Section 306 of Clean Water Act that are applicable to such source, but only if the standards are promulgated in accordance with Section 306 within 120 days of their proposal;

b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants that are subject neither to effluent limitations nor to notification requirements specified elsewhere in this permit; or

c. The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.

2. The permittee shall give advance notice to the department of any planned changes in the permitted facility

or activity that may result in noncompliance with permit requirements.

K. Signatory requirements.

1. Registration statement. All registration statements shall be signed as follows:

a. For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (i) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or other actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or

c. For a municipality, state, federal, or other public agency: by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a public agency includes: (i) the chief executive officer of the agency or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.

2. Reports, etc. All reports required by permits, and other information requested by the board shall be signed by a person described in Part II K 1 or by a duly authorized representative of that person. A person is a duly authorized representative only if:

a. The authorization is made in writing by a person described in Part II K 1;

b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. A duly authorized representative may thus be either a named individual or any individual occupying a named position; and

c. The written authorization is submitted to the department.

3. Changes to authorization. If an authorization under Part II K 2 is no longer accurate because a different individual or

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position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Part II K 2 shall be submitted to the department prior to or together with any reports, or information to be signed by an authorized representative.

4. Certification. Any person signing a document under Part II K 1 or 2 shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

L. Duty to comply. The permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the State Water Control Law and the Clean Water Act, except that noncompliance with certain provisions of this permit may constitute a violation of the State Water Control Law but not the Clean Water Act. Permit noncompliance is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application.

The permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants and with standards for sewage sludge use or disposal established under Section 405(d) of the Clean Water Act within the time provided in the regulations that establish these standards or prohibitions or standards for sewage sludge use or disposal, even if this permit has not yet been modified to incorporate the requirement.

M. Duty to reapply. If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee shall submit a new registration statement at least 180 days before the expiration date of the existing permit, unless permission for a later date has been granted by the board. The board shall not grant permission for registration statements to be submitted later than the expiration date of the existing permit.

N. Effect of a permit. This permit does not convey any property rights in either real or personal property or any exclusive privileges, nor does it authorize any injury to private property or invasion of personal rights, or any infringement of federal, state or local law or regulations.

O. State law. Nothing in this permit shall be construed to preclude the institution of any legal action under, or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to, any other state law or regulation or under authority preserved by Section 510 of the Clean Water Act. Except as provided in permit conditions on "bypassing" (Part II U), and "upset" (Part II V) nothing in this permit shall

be construed to relieve the permittee from civil and criminal penalties for noncompliance.

P. Oil and hazardous substance liability. Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under §§ 62.1-44.34:14 through 62.1-44.34:23 of the State Water Control Law.

Q. Proper operation and maintenance. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also include effective plant performance, adequate funding, adequate staffing, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems that are installed by the permittee only when the operation is necessary to achieve compliance with the conditions of this permit.

R. Disposal of solids or sludges. Solids, sludges or other pollutants removed in the course of treatment or management of pollutants shall be disposed of in a manner so as to prevent any pollutant from such materials from entering state waters.

S. Duty to mitigate. The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment.

T. Need to halt or reduce activity not a defense. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

U. Bypass.

1. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility. The permittee may allow any bypass to occur that does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to ensure efficient operation. These bypasses are not subject to the provisions of Parts II U 2 and 3.

2. Notice.

a. Anticipated bypass. If the permittee knows in advance of the need for a bypass, prior notice shall be submitted, if possible, at least 10 days before the date of the bypass.

b. Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in Part II I.

3. Prohibition of bypass.

a. Bypass is prohibited, and the board may take enforcement action against a permittee for bypass, unless:

(1) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

(2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass that occurred during normal periods of equipment downtime or preventive maintenance; and

(3) The permittee submitted notices as required under Part II U 2.

b. The board may approve an anticipated bypass after considering its adverse effects if the board determines that it will meet the three conditions listed above in Part II U 3 a.

V. Upset.

1. An upset constitutes an affirmative defense to an action brought for noncompliance with technology-based permit effluent limitations if the requirements of Part II V 2 are met. A determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is not a final administrative action subject to judicial review.

2. A permittee who wishes to establish the affirmative defense of upset shall demonstrate through properly signed, contemporaneous operating logs, or other relevant evidence that:

- a. An upset occurred and that the permittee can identify the cause(s) of the upset;
- b. The permitted facility was at the time being properly operated;
- c. The permittee submitted notice of the upset as required in Part II I; and
- d. The permittee complied with any remedial measures required under Part II S.

3. In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.

W. Inspection and entry.

The permittee shall allow the director, or an authorized representative, upon presentation of credentials and other documents as may be required by law, to:

1. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;

3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and

4. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act and the State Water Control Law, any substances or parameters at any location.

For purposes of this section, the time for inspection shall be deemed reasonable during regular business hours, and whenever the facility is discharging. Nothing contained herein shall make an inspection unreasonable during an emergency.

X. Permit actions.

Permits may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, termination, or notification of planned changes or anticipated noncompliance does not stay any permit condition.

Y. Transfer of permits.

1. Permits are not transferable to any person except after notice to the department. Except as provided in Part II Y 2, a permit may be transferred by the permittee to a new owner or operator only if the permit has been modified or revoked and reissued, or a minor modification made, to identify the new permittee and incorporate such other requirements as may be necessary under the State Water Control Law and the Clean Water Act.

2. As an alternative to transfers under Part II Y 1, this permit may be automatically transferred to a new permittee if:

- a. The current permittee notifies the department at least 30 days in advance of the proposed transfer of the title to the facility or property;
- b. The notice includes a written agreement between the existing and new permittees containing a specific date for transfer of permit responsibility, coverage, and liability between them; and
- c. The board does not notify the existing permittee and the proposed new permittee of its intent to modify or revoke and reissue the permit. If this notice is not received, the transfer is effective on the date specified in the agreement mentioned in Part II Y 2 b.

Z. Severability.

The provisions of this permit are severable, and if any provision of this permit or the application of any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

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NOTICE: The form used in administering 9 VAC 25-110, Virginia Pollutant Discharge Elimination System (VPDES) General Permit for Domestic Sewage Discharges of Less Than or Equal to 1,000 Gallons Per Day, is listed below. The amended form is published following the listing.

FORMS

Virginia DEQ Registration Statement General VPDES Permit for Domestic Sewage Discharges of Less Than or Equal to 1,000 Gallons Per Day (eff. ~~8/04~~ rev. 2006).

VIRGINIA DEQ REGISTRATION STATEMENT
 GENERAL VPDES PERMIT FOR DOMESTIC SEWAGE DISCHARGES OF
 LESS THAN OR EQUAL TO 1,000 GALLONS PER DAY

Please Type or Print All Information

1. Name of Facility/Residence _____
 Address of Facility _____
 Street City State Zip
2. Facility owner(s) _____
 Last Name First Name M.I.

 Last Name First Name M.I.
 Address of Owner _____
 Street City State Zip
 Phone Number(s) _____
 Home Work
 Is or will the owner be the occupant of the facility? Yes _____ No _____
3. Name of water body receiving the discharge _____
 Is the discharge point on a stream that usually flows during dry weather? Yes _____ No _____
4. Amount of discharge (gallons per day) on a monthly average _____
5. Are any pollutants other than domestic sewage to be discharged? Yes _____ No _____
 If yes, please explain _____
6. Are central sewage facilities available to this facility? Yes _____ No _____
7. Does this facility currently have a VPDES permit? Yes _____ No _____
 If yes, please provide permit number _____
 Has the facility been built and begun discharge? Yes _____ No _____
8. The owner of any proposed treatment works or any treatment works which has not previously been issued a valid VPDES permit must submit the following attachments with this registration statement:
 - a. A topographic map which indicates the discharge point, the location of the property to be served by the treatment works, and the location of any wells, springs, and other water bodies, or downstream residences within ½ mile downstream from the discharge;
 - b. A site diagram of the existing or proposed sewage treatment works, including the property boundaries, the location of the facility/residence to be served, the individual sewage treatment units, the receiving water body, and the discharge line location;
 - c. A notification from the Virginia Department of Health that an onsite sewage disposal system permit has been applied for and that the Virginia Department of Health has determined that there is no technology available to serve that parcel of land with an onsite system; and
9. Has a valid maintenance contract been obtained by the owner of any existing treatment works?
 Yes _____ No _____
 If yes, provide the name of the contract provider _____
 and the expiration date of the current contract _____
 If no, has an exception to the maintenance contract been requested and granted in accordance with Item 10 below? Yes _____ No _____
 A valid maintenance contract shall provide for the following:
 - a. Performance of all testing required in accordance with 9 VAC 25-110-80, Part I A and periodic inspections of the treatment works;

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- b. A written notification to the owner within 24 hours whenever the contract provider becomes aware that maintenance or repair of the owner's treatment works is necessary. The owner is responsible for prompt maintenance and repair of the treatment works including all costs associated with the maintenance and repair. Immediately upon receipt of notice that repair or maintenance is required, the owner shall begin emergency pump and haul of all sewage generated in the dwelling if full and complete repairs cannot be accomplished within 48 hours;
 - c. A log of the following items will be maintained by the contract provider:
 - (1) Results of all tests and sampling;
 - (2) Alarm activation incidents;
 - (3) Maintenance, corrective, or repair activities performed;
 - (4) Recommended repair or replacement items; and
 - (5) Copies of all reports prepared by the contract provider.
 - d. An inspection will be conducted by the contract provider within 48 hours after notification by the owner that a problem may be occurring; and
 - e. A minimum of twenty-four months of consecutive coverage under the maintenance contract.
10. The owner of any existing treatment works may request an exception to the maintenance contract requirement by submitting an Operation and Maintenance Plan to the DEQ for review and approval. Has an Operation and Maintenance Plan been approved by the DEQ previously? Yes _____ No _____
- If yes, provide the date of approval of the Operation and Maintenance Plan _____
- Has any changes been made to the Operation and Maintenance Plan? Yes _____ No _____
- If yes, explain the changes _____
- At a minimum, the Operation and Maintenance Plan shall contain the following information:
- a. An up-to-date Operation and Maintenance Manual for the treatment works;
 - b. A log of maintenance performed on the plant, including, but not limited to, the following:
 - (1) The date and amount of disinfection chemicals added to the chlorinator.
 - (2) If dechlorination is used, the date and amount of any dechlorination chemicals that are added.
 - (3) The date and time of equipment failure(s) and the date and time the equipment was restored to service.
 - (4) The date and approximate volume of sludge removed;
 - c. Dated receipts for chemicals purchased, equipment purchased, and maintenance performed; and
 - d. An effluent monitoring plan in accordance with the requirements of 9 VAC 25-110-80 Part I A, including all sample collection, preservation, and analysis procedures.
11. **Certification:** "I hereby grant to duly authorized agents of the Department of Environmental Quality, upon presentation of credentials, permission to enter the property where the treatment works is located for the purpose of determining compliance with or the suitability of coverage under the General Permit. I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment for knowing violations."

Signature(s): _____ Date: _____
_____ Date: _____

For Department of Environmental Quality Use Only

Accepted/Not Accepted by: _____ Date: _____
Basin _____ Subbasin _____ Stream Class _____ Section _____
Special Standards _____

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REGISTRATION STATEMENT INSTRUCTIONS GENERAL VPDES PERMIT FOR DOMESTIC SEWAGE DISCHARGES OF LESS THAN OR EQUAL TO 1,000 GALLONS PER DAY

General

A Registration Statement must be submitted by the owner of a domestic sewage discharge with a design flow of less than or equal to 1,000 gallons per day on a monthly average basis, requesting coverage under this general permit. Contact the nearest DEQ regional office if you have questions about filing this form.

Section 1 Facility Information

Provide the name and address of the facility/residence.

Section 2 Owner Information

Provide the name(s), mailing address and telephone number(s) of the owner(s) of the facility. Indicate if the owner is the occupant of the facility.

Section 3 Receiving Water Information

Provide the name of the water body that receives the discharge. Indicate if the receiving water flows during dry weather.

Section 4 Discharge Quantity

Provide amount of discharge in gallons per day on a monthly average.

Section 5 Other Pollutants

Indicate if any pollutants other than domestic sewage are discharged from this facility. Provide further explanation if applicable.

Section 6 Central Sewage Facilities

Indicate if central sewage facilities are available to this facility.

Section 7 VPDES Permit Information

Indicate if this facility is currently covered under any VPDES permit. Provide the permit number if applicable. Also indicate if this facility has been built and begun discharge.

Section 8 Proposed Facility or Any Existing Facility That Has Never Been Covered Under A VPDES Permit

Item a. Map should be legible and of sufficient scale to show the required features clearly marked.

Item b. A site diagram should be legible to show the proposed or existing treatment works. Identify individual treatment units and other required features.

Item c. Contact the respective local health department and obtain the required notification.

Section 9 Maintenance Contract Requirements

For any existing treatment works, the owner must indicate either if a valid maintenance contract has been obtained, or if an exception to the maintenance contract has been requested and granted. If a valid maintenance contract has been obtained, provide the name of the contract provider and the expiration date of the current contract. For proposed treatment works, the owner must submit a copy of a valid maintenance contract prior to operation unless an exception has been requested and granted in accordance with Section 10 below.

Section 10 Operation and Maintenance Plan

In lieu of obtaining a maintenance contract per Section 9 above, the owner of any existing treatment works may submit an Operation and Maintenance Plan with the Registration Statement to the DEQ for review and approval. If an Operation and Maintenance Plan has been approved by the DEQ previously and remains current and complete, then it does not need to be resubmitted. In such case, indicate the date of approval. If changes have been made to the previously approved Operation and Maintenance Plan, explain the changes. The Plan must meet all specified requirements. For proposed treatment works, the owner must submit the Operation and Maintenance Plan to and receive an approval from the DEQ prior to operation.

Section 11 Certification

The certification must bear an original signature in ink; photocopies are not acceptable. State statutes provide for severe penalties for submitting false information on this Registration Statement. Generally, the Registration Statement should be signed by the property owner. State regulations require this Registration Statement to be signed as follows:

- (1) For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (i) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;
- (2) For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or
- (3) For a municipality, state, federal, or other public agency: by either a principal executive officer or ranking elected official.

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VA.R. Doc. No. R04-117; Filed April 19, 2005, 1:28 p.m.

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TITLE 22. SOCIAL SERVICES

STATE BOARD OF SOCIAL SERVICES

Titles of Regulations: **22 VAC 40-770. Standards and Regulations for Agency Approved Providers (REPEAL) (WITHDRAWN).**

22 VAC 40-771. Local Department Approved Provider Standards (WITHDRAWN).

The State Board of Social Services has WITHDRAWN the proposed repeal of 22 VAC 40-770, Standards and Regulations for Agency Approved Providers, and adoption of 22 VAC 40-771, Local Department Approved Provider Standards, that were published in 20:24 VA.R. 2872-2891, August 9, 2004.

Agency Contact: L. Richard Martin, Jr., Policy and Planning Manager, Department of Social Services, Office of Legislative and Regulatory Affairs, 7 N. 8th St., Room 5214, Richmond, VA 23219, telephone (804) 726-7902, FAX (804) 726-7906, toll-free (800) 828-1120/TTY, or e-mail richard.martin@dss.virginia.gov.

VA.R. Doc. No. R03-66; Filed April 26, 2005, 1:21 p.m.

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TITLE 24. TRANSPORTATION AND MOTOR VEHICLES

COMMONWEALTH TRANSPORTATION BOARD

Title of Regulation: **24 VAC 30-121. Comprehensive Roadside Management Program (adding 24 VAC 30-121-10 through 24 VAC 30-121-40).**

Statutory Authority: §§ 33.1-12 and 33.1-223.2:9 of the Code of Virginia.

Public Hearing Date: May 27, 2005 - 9 a.m.

Public comments may be submitted until July 15, 2005.
(See Calendar of Events section for additional information)

Agency Contact: Jacob Porter, Roadside Operations Program Manager, Department of Transportation, Asset Management Division, Monroe Tower, 1401 East Broad Street, 19th Floor, Richmond, VA 23219, telephone (804) 786-7218, FAX (804) 786-7987, or e-mail jacob.porter@vdot.virginia.gov.

Basis: These regulations are being promulgated under authority granted by § 33.1-223.2:9 of the Code of Virginia. No federal statutes pertain to the landscape installation or maintenance sections of this regulation. The Federal Highway Administration has issued an interim memorandum establishing policy for the use of acknowledgement signs on highway rights-of-way. The policy (see http://mutcd.fhwa.dot.gov/res-memorandum_highway_row.htm) allows these signs on highway rights-of-way, forbids advertising signs on the highway rights-of-way, and restricts the placement of

acknowledgement signs and messages from certain high-risk areas.

23 USC § 131 regulates the placement of signs visible from federal-aid highways. Article 1 (§ 33.1-351 et seq.) of Chapter 7 of Title 33.1 of the Code of Virginia and 24 VAC 30-120, Rules and Regulations Controlling Outdoor Advertising and Directional and Other Signs and Notices, regulates the placement of signs visible from public highways in the Commonwealth. Sections 33.1-371.1 and 33.1-371.2 of the Code of Virginia and 24 VAC 30-200, Vegetation Control Regulations On State Rights-Of-Way, regulate tree trimming and removal within state rights-of-way. The Virginia Department of Transportation (VDOT), the Commissioner and the Commonwealth Transportation Board (board) are granted "control, supervision, management, and jurisdiction" over the system of state highways by § 33.1-69 of the Code of Virginia. Furthermore, the board has general authority to make regulations concerning the use of the state highway system pursuant to § 33.1-12 of the Code of Virginia and has exercised that authority through the regulations referenced above.

Purpose: This regulation is being developed to comply with § 33.1-223.2:9 of the Code of Virginia passed by the 2004 Session of the General Assembly (SB 260/Chapter 679). The regulation sets forth the requirements applicable to all individuals or community groups that wish to work through local governments to landscape portions of highway rights-of-way.

The Comprehensive Roadside Management Program regulation creates a new program. Therefore, VDOT is exploring alternatives to make the regulation as useful as possible for individuals, community groups, or local governments in meeting the goals of ensuring a safe and aesthetically pleasing environment. These alternatives are intended to improve the current situation of no guidance while meeting the principal goals of:

1. Serving as a reference resource for parties involved in the planning, design, development, and maintenance of corridors and gateways into localities.
2. Protecting the public's health, safety, and welfare with the least possible cost and intrusiveness to the citizens of the Commonwealth.
3. Providing a clearly written and understandable regulation.

Substance: The regulation establishes the basic requirements applicants must follow, including compliance with an existing comprehensive regulation, the Land Use Permit Manual (LUPM). The LUPM sets forth the policies and procedures that VDOT uses to issue permits on behalf of the Commonwealth Transportation Board (CTB) to perform work on state-owned property under its jurisdiction along the system of state highways. Typically, this work includes activities such as installation of utilities, cable television services, fiber optic lines, or installation of driveway pipe. It is intended to protect the safety of VDOT and non-VDOT workers, motorists and pedestrians, minimize the likelihood of property damage, as well as to preserve the integrity of the state highway system.

The regulation also provides for a maintenance agreement and a resolution from the local government authority, the latter of which requires a public hearing be held. These requirements ensure that there is formal consensus as to the appropriateness of the project, as well as a means to care for the landscaping once it is installed.

Issues: The primary advantage to the public is in having a consistent framework to instruct them in the policies and procedures VDOT will use in accepting and using donations of funds or plant materials for landscaping; the specifications involved in the design, installation, and maintenance of acknowledgement signs; and specific maintenance issues on state-owned rights-of-way. VDOT has consulted with civic associations, garden clubs, local officials, and participants in an earlier pilot program on landscaping to develop regulations that fulfill the purpose of the legislative mandate, accommodate the needs and desires of the regulated parties, and preserve VDOT's interests in maintaining a safe, attractive, and convenient transportation network.

The experience of the city of Lynchburg should also be considered. The city sponsored a fund-raising initiative to implement its small-scale roadside improvement program, resulting in approximately twice the funds raised than were estimated to support the program. If this happens again, VDOT will incur a financial benefit from having this program underwritten from private sources.

VDOT does not believe there are any disadvantages to the public, because both public- and private-sector interests will be served by having the regulation in place to provide consistent guidance in these matters. Given the fact that the General Assembly mandated promulgation of these regulations, there is clearly a perception that they will serve a pressing public need.

Department of Planning and Budget's Economic Impact Analysis: The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with § 2.2-4007 H of the Administrative Process Act and Executive Order Number 21 (02). Section 2.2-4007 H requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. The analysis presented below represents DPB's best estimate of these economic impacts.

Summary of the proposed regulation. Pursuant to Chapter 679 of the 2004 Acts of the Assembly, the proposed regulation establishes a roadside management program. It establishes procedures for approval and criteria for evaluation of roadside management proposals.

Estimated economic impact. The proposed roadside management program contains rules for businesses, individuals, and community groups who wish to landscape portions of state-owned highway rights-of-way through local governments. The Virginia Department of Transportation

(VDOT) has been receiving donations from individuals, groups, and government organizations through two programs. Under the wildflower program, colorful, attractive plantings can be donated to improve highway aesthetics. The roadside landscape program, a more informal program, is established for other types of vegetation alongside the highways. Currently, these programs defer to VDOT's Land Use Permit Manual (24 VAC 30-150 et seq.), but are generally administered without specific regulations.

In addition to the wildflower and landscape programs, there is increasing interest from businesses, subdivisions, and localities to contribute to large-scale roadside improvements to include designing, installing, and maintaining landscaped state rights-of-way and enabling roadside acknowledgement signage that identifies the contributing or sponsoring entity. Currently, no such written rules or formal programs exist.

One of the primary reasons for the proposed regulation is the success of the City of Lynchburg's LEAF program. The formation of the Lynchburg Expressway Appearance Fund (LEAF) by the Keep Lynchburg Beautiful Committee has resulted in a dramatic improvement to both the safety and appearance of the City of Lynchburg's Route 29 bypass roadside, also known as the Lynchburg Expressway. Currently, over 4.7 miles of right-of-way have been improved to include 140 acres of turf and 22 acres (78 plant beds) of landscape plantings. So far, funds raised by local contributors for plant materials and installation amount to over \$1.45 million. However, there are no formal rules or regulations governing the City of Lynchburg's LEAF program.

In short, there currently is no comprehensive formal approach to enabling local government-led improvements to state-maintained roadsides. However, there is significant interest from individuals and community groups to plan, design, develop, and maintain state-owned corridors and gateways. This regulation addresses the needs of those who wish to landscape portions of state-owned highway rights-of-way and erect identification signs and structures.

The proposed regulation requires projects proposed by individuals and community groups to be approved by the local government (by means of passing a resolution) prior to being submitted to VDOT for evaluation. This requirement is intended to ensure availability of means to maintain the project once it is installed. Parties or localities seeking approval are required to assume all installation and maintenance costs of projects for perpetuity. The proposed rules also require local governments to hold public hearings for the projects. This requirement will ensure that the public is afforded an opportunity to comment on the proposal. Once a locality submits an application, VDOT then evaluates whether the project complies with highway safety standards. The standards for plan, design, development, and maintenance of landscape installations are included or referenced in the regulation.

The proposed regulations adopt current federal and state regulations and VDOT operating policies and procedures that are intended to minimize hazards to workers, motorists, pedestrians, as well as the likelihood of property damage. These regulations also provide a legal framework and general

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guidance for roadside improvements. It enables VDOT to ensure that improved roadside areas including associated landscaping and acknowledgement signs are well maintained and are not placed where they will become a safety hazard to the motoring public.

The proposed regulation should benefit the state by enabling roadside areas currently being managed by VDOT to be managed by other public and private entities under permit issued to a local government. Depending on the type of landscaping, maintenance and management costs include costs for trash pickup, mowing, fertilizing, overseeding, weed control, plant maintenance, mulching, and spraying. The annual costs to maintain a mile of highway range from \$2,000 for a low-maintenance landscape type to \$3,850 for a high-maintenance landscape type. However, as the program is not a mandatory requirement, there is no information on how many miles of state-owned highway are likely to be maintained by private parties under the proposed regulations. Only those local governments and corresponding citizen/private business that are interested in applying for permits to conduct large-scale roadside improvements must follow these regulatory requirements.

In addition, as such roadside improvements are enabled and implemented by local communities, they may result in a number of indirectly correlated benefits to the Commonwealth such as increased well-being of citizens and increased pride of citizens in their community, tourism, and real estate property values.

The proposed regulation will also introduce some administrative costs associated with evaluating initial applications and monitoring compliance once a project is approved and installed. The size of the total ongoing costs cannot be accurately determined presently because it is not known with certainty how many other localities or private individuals may wish to participate. There may also be some minor administrative costs associated with training personnel on the new regulations and the development and delivery of future guidance material.

In summary, most of the benefits of the proposed regulation will be enjoyed by the localities and the costs will be borne by them. Several localities have expressed interest in Lynchburg's current program and the proposed regulation. The willingness of these localities to participate implies that the benefits of the proposed regulation likely exceed the costs. Also, as it is a voluntary program, such projects are likely to be undertaken by entities only in instances when the costs are less than the potential benefits.

Businesses and entities affected. The proposed regulation will affect localities that wish to initiate roadside management programs similar to Lynchburg's and the individuals and businesses that wish to participate in these programs. As this program is not mandatory, the number of affected businesses and entities is not known at this time.

Localities particularly affected. The proposed regulation applies to localities throughout the Commonwealth. Currently, the Town of Blacksburg, City of Roanoke, City of Richmond, Henrico County, Dinwiddie County, Fairfax County, and Prince

William County have expressed an interest in initiating these types of programs.

Projected impact on employment. The proposed regulation will provide a framework for individuals, businesses, and localities to undertake roadside management programs. The proposed legal framework should encourage new business activity in areas of roadside landscaping and signage and have a positive impact on employment.

Effects on the use and value of private property. Improved roadside landscape should have a positive impact on nearby real property values. Also, revenues from new landscaping should increase the profitability and the asset values of landscape and related businesses.

Agency's Response to the Department of Planning and Budget's Economic Impact Analysis: The Virginia Department of Transportation concurs with the economic impact analysis prepared by the Department of Planning and Budget.

Summary:

The proposed regulation sets forth the requirements applicable to all individuals or community groups that wish to work through local governments to landscape portions of highway rights-of-way. This regulation includes procedures for approval and criteria used to evaluate each proposal, and is intended to serve as a reference resource for parties involved in the planning, design, development, and maintenance of corridors and gateways into localities.

CHAPTER 121.

COMPREHENSIVE ROADSIDE MANAGEMENT PROGRAM.

24 VAC 30-121-10. Purpose.

The Comprehensive Roadside Management Program (program) is administered by the Virginia Department of Transportation (department), and enables private businesses, civic organizations, communities, individuals and local governments an opportunity to improve the appearance and safety of the state maintained right-of-way or real property, herein referred to as right-of-way, by participating in the project development, establishment, and maintenance of landscaping activities within the state-maintained right-of-way. This chapter sets forth policies and procedures governing the program.

24 VAC 30-121-20. Participation.

A. Eligible entities. A local government, private business, community, individual, or civic organization may fully fund the development, establishment, and maintenance of landscaping a segment of the right-of-way upon application and approval of a designated department representative. Such entities are eligible to participate as:

- 1. A single local government;*
- 2. A local government partnership between one or more contiguous local governments; or*
- 3. A private business, civic organization, community or individual through sponsorship by a local government or local government partnership. Such entities are eligible to participate as a donor through the local government by*

providing to the local government cash or noncash contributions.

B. *Acknowledgement signs.* Signs acknowledging the name or logo, or both, of participating entities may be authorized for erection at the project site in accordance with 24 VAC 30-121-40 D 2. However, no acknowledgment signs installed pursuant to this program shall remain in place for more than 10 years.

C. In addition to the specifications in 24 VAC 30-121-40 D 2, in order to be recognized on an acknowledgement sign, an entity must provide a minimum cash or in-kind contribution to the permittee for the landscaping activity as specified below. Such contribution shall guarantee the acknowledgement sign for five years. Cost of the acknowledgement sign shall not count toward the minimum contribution requirement.

1. *Noncontrolled access primary and secondary highways:* \$7,500 contribution.
2. *Controlled access primary and secondary highways:* \$8,500 contribution.
3. *Interchanges on controlled access primary and secondary highways:* \$10,000 contribution.
4. *Interstate interchanges:* \$20,000 contribution.

24 VAC 30-121-30. Application requirements.

A. All program activities must be applied for by the local governments within the jurisdiction in which the activity is proposed to occur in accordance with the General Rules and Regulations of the Commonwealth Transportation Board (24 VAC 30-20-20 and 24 VAC 30-20-80) and the Land Use Permit Manual (24 VAC 30-150). The Land Use Permit Manual and the general rules may be obtained from the Local Assistance Division, Virginia Department of Transportation, 1401 East Broad Street, Richmond, Virginia 23219, or by accessing the Virginia Administrative Code website at <http://leg1.state.va.us/000/reg/TOC24030.HTM>.

1. *Single activity or segment permit.* A local government may apply for a permit for each individual proposed activity or for all proposed activities on a specific route.
2. *Jurisdiction-wide permit.* A local government may apply for a jurisdiction-wide permit to cover all proposed activities occurring within that local government's jurisdictional boundaries on the right-of-way. Such jurisdiction-wide permits must be renewed on an annual basis from the date of permit issuance.

B. The application shall be in the form prescribed by 24 VAC 30-150 and shall at a minimum include:

1. The name, telephone number, and complete mailing address of the local government and the authorized local government representative who shall be officially designated by the local government as having full administrative and operational authority over all proposed activities;
2. A maintenance agreement that outlines obligated specific maintenance activities and responsibilities, projected maintenance costs, and related funding commitments

necessary to ensure areas are maintained and performing as originally permitted; and

3. A formal resolution from the local governing body, adopted subsequent to a public hearing during which the proposed landscaping activities are made available for review. The local governing body shall provide written notification to the department of its intention to hold such a hearing no later than 14 days prior to such hearing. Such notification shall be made to the Asset Management Division Administrator, Virginia Department of Transportation, 1401 East Broad Street, Richmond, Virginia 23219.

24 VAC 30-121-40. Conditions.

A. In order to participate in the program, each project must comply with the Land Use Permit Manual (24 VAC 30-150) and the general, site, and design considerations specified in this section.

B. *General considerations.* The following general considerations apply to any permitted activity:

1. *Qualifications.* All work shall be performed by qualified local government personnel or qualified individuals acting as an agent of the permitted local government.
2. *Compliance.* Such work shall comply with all departmental specifications, standards, policies, and guidance and all applicable federal, state, and local government policies, laws, regulations, and ordinances.
3. *Improvement.* Any permitted activity must ensure a net improvement to existing right-of-way conditions and impose no net operational or financial burden to the department as determined by the department.
4. *The permittee shall be responsible for the maintenance of the permitted areas in perpetuity.* In the event the permittee fails to adequately maintain the improvements, the department may, at its discretion, revoke the permit. Prior to such revocation, the department may, at its discretion and at the permittee's expense, return the permitted area to its original condition.
5. *The master plan, project concept plan, sketches, drawings, estimates, specifications, and descriptive text of all activities and any required federal, state, or local permits shall be available for review by the department at all times.*

C. *Site considerations.* For sites to be approved by the department, the following site conditions must be met. The site must:

1. Not be scheduled for future construction as defined within the department's current six-year improvement plan, which would conflict with the activities proposed on the project;
2. Contain sufficient right-of-way to reasonably permit planting and landscaping operations without conflicting with safety, geometric, and maintenance considerations;
3. Not contain overhead or underground utilities, driveways, pavement, sidewalks, or highway system fixtures including traffic signage or signalization that will conflict with the

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planting or landscaping operations proposed under the project; and

4. Not obstruct or interfere with existing drainage conditions along the site.

D. Design considerations. For sites to be approved by the department, the following design considerations must be met.

1. The project design shall not include the following design elements:

- a. Lighting;*
- b. Flagpoles or pennant poles;*
- c. Fountains or water features;*
- d. Landscaping that depicts or represents any logo, name, or constitutes an advertisement in any form; or*
- e. Statuary, sculpture, or other art objects.*

2. Acknowledgement signs and structures installed pursuant to this program must meet the following design specifications:

- a. Panels per sign structure: a maximum of two acknowledgement panels per sign structure.*
- b. Panel dimensions: 6 feet wide by 20 inches tall; 3 inches corner radii; 1.5 inch – 2 inches thick.*
- c. Sign material: high density sign foam or equivalent.*
- d. Background color options: dark blue, dark burgundy, dark green, or off-white.*
- e. Sign border: must be inset 1 inch from outside edge to a 3/4-inch wide border formed by sandblasting or routing a depth of 1/4-inch to 1/2-inch; color must be white if dark background or dark if white background.*
- f. Acknowledgement content: a single sponsoring entity may be represented per panel; the representation may be placed within but no closer than 1/2 inch inside the border and formed by sandblasting or routing a depth of 1/4 inch to 1/2 inch.*

3. In the event an acknowledgement sign structure or panel is damaged, the permittee shall be responsible for repairing or replacing the sign.

4. Acknowledgement sign structures installed pursuant to this program may be placed within the right-of-way at the following locations:

- a. Noncontrolled access primary and secondary highways: no greater than one acknowledgement sign structure per direction per 1/2 mile of main traveled way.*
- b. Controlled access primary and secondary highways: no greater than one acknowledgement sign structure per direction per 1/2 mile of main traveled way except as specified in subdivision 4 c of this subsection.*
- c. Interchanges on controlled access interstates, primary and secondary highways: no greater than one acknowledgement sign structure per turning roadway with*

no more than one panel per acknowledgement sign structure.

NOTICE: The form used in administering 24 VAC 30-121, Comprehensive Roadside Management Program, is listed and printed below.

FORMS

Land Use Permit Manual Application Form (Revised 10/2003).

PERMIT APPLICATION
Rev. 10/2003



Land Use Permit Application No. _____
Commonwealth of Virginia
Department of Transportation

RETURN TO VDOT RESIDENCY OR PERMIT OFFICE ADDRESS

APPLICATION is hereby made for permit as shown on the accompanying plan or sketch and as described below. Said activity(s) will be done under and in accordance with the rules and regulations of the Commonwealth Transportation Board of Virginia, in so far as said rules are applicable thereto and any agreement between the parties herein before referred to. Where applicable agreements may be attached and made a part of the permit assembly including any cost responsibilities covering work under permit. Applicant agrees to maintain work in a manner as approved upon its completion. Applicant also hereby agrees and is bound and held responsible to the owner for any and all damages to any other installations already in place as a result of work covered by resulting permit. Applicants to whom permits are issued shall at all times indemnify and save harmless the Commonwealth Transportation Board members of the Board, the Commonwealth and all Commonwealth employees, agents, and offices, from responsibility, damage, or liability arising from the exercise of the privileges granted in such permit to the extent allowed by law. In consideration of the issuance of a permit the applicant agrees to waive for itself, successors in interest or assigns any entitlements it may otherwise have or have hereafter under the Uniform Relocation and Assistant Act of 1972 as amended in event the Department or its successor, chooses to exercise its acknowledged right to demand or cause the removal of any or all fixtures, personality of whatever kind or description that may hereafter be located, should this application be approved.

TYPE OR PRINT CLEARLY

Social Security or Tax ID number _____ Owner Name _____ Address _____ City _____ State _____ Zip Code _____	Contact Name _____ E-mail Address _____ Phone Number (____) _____ - _____ Emergency Number (____) _____ - _____ Fax Number (____) _____ - _____
Social Security or Tax ID number _____ Agent Name _____ Address _____ City _____ State _____ Zip Code _____	Contact Name _____ E-mail Address _____ Phone Number (____) _____ - _____ Emergency Number (____) _____ - _____ Fax Number (____) _____ - _____
Permit Term Requested _____ Fees Enclosed \$ _____ Check Number _____ Coupon Number(s) _____ Money Order _____ Other _____ The estimated cost of work to be performed on VDOT Right of Way \$ _____	
Surety Information: Surety Company Name _____ Amount of Surety \$ _____ Obligation Amount \$ _____	
The Surety Posted by Owner () or Agent ()	
Check # _____ Bond # _____ ILC # _____ <input type="checkbox"/> Corporate Surety <input type="checkbox"/> Resolution <input type="checkbox"/> Ordinance <input type="checkbox"/> Waived	
Applicant has provided proof of the following requirements in accordance as defined in Code of Virginia section 2.2-1151.1.	
(1) The utility company has registered as an operator with the appropriate notification center. (2) Attached is a notarized affidavit, that the utility owner has notified the commercial and residential developer, owner of commercial or multifamily real estate, or local government entities with a property interest in any parcel of land located adjacent to the property over which the land use is being requested, that application for the permit has been made.	

Request Permission: To perform the following activity(s) _____

 _____ as per attached plans.

Location: Tax Map Number _____ Applicant Job No. _____
 Geographically in County / Town / City of _____ On Highway Route and /or Name _____
Between Route _____ St. Name _____ Latitude _____ Longitude _____
And Route _____ St. Name _____ Latitude _____ Longitude _____

IF APPLICABLE, I AGREE TO PAY THE FULL SALARY AND EXPENSES OF A STATE ASSIGNED INSPECTOR IN CONJUNCTION WITH THIS PROJECT, COVERED BY ACCOUNT RECEIVABLE NUMBER.

Signature of applicant _____ Title _____ Date _____
 Signature of agent _____ Title _____ Date _____

All applicable items on this form must be completed before your request can be considered. Recheck information furnished to avoid delay. Prepayment Required - make Remittance payable to Virginia Department of Transportation.

VDOT USE ONLY

Receipt is hereby acknowledged of CHECK _____ COUPON _____ M.O. _____ In The Amount of \$ _____ Permit Fee \$ _____ Cash Surety \$ _____ VDOT Reference Number _____ Signed _____ VDOT. Original Copy To Permit Office Copy To District Office Copy To Applicant

FINAL REGULATIONS

For information concerning Final Regulations, see Information Page.

Symbol Key

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

TITLE 4. CONSERVATION AND NATURAL RESOURCES

MARINE RESOURCES COMMISSION

REGISTRAR'S NOTICE: The following regulations filed by the Marine Resources Commission are 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 20-170. Pertaining to the Removal of Nets from Fixed Fishing Devices (amending 4 VAC 20-170-30).**

Statutory Authority: §§ 28.201 and 28.2-236 of the Code of Virginia.

Effective Date: May 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.

Summary:

The amendments authorize the marine police officer to notify the licensee to either fish or remove a gill net within 24 hours if the officer determines that a gill net set east of the COLREGS Line in Virginia waters has not been fished for at least a 24-hour period.

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, the officer 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. R05-181; Filed April 27, 2005, 12:21 p.m.

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

Statutory Authority: §§ 28.201 and 28.2-236 of the Code of Virginia.

Effective Date: May 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.

Summary:

The amendments provide exemptions to the maximum gill net mesh size requirements and gill net tending restrictions.

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. R05-182; Filed April 27, 2005, 11:54 a.m.

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: §§ 28.201 and 28.2-236 of the Code of Virginia.

Effective Date: May 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.

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 the harvesting of black drum.

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. R05-183; Filed April 27, 2005, 12:07 p.m.

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

Statutory Authority: §§ 28.201 and 28.2-236 of the Code of Virginia.

Effective Date: May 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.

Summary:

The amendments (i) establish marking requirements for gill nets to increase their visibility and identification; (ii) establish 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) incorporate 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 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 seven 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 seven 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 seven 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 from 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 seven 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

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sunset to sunrise from 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 seven 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 from 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 seven 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 from 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. R05-184; Filed April 27, 2005, 11:55 a.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: §§ 28.201 and 28.2-236 of the Code of Virginia.

Effective Date: May 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.

Summary:

This regulation defines (i) the terms of COLREGS Line, monkfish, and tie-down; (ii) possession criteria for harvest of monkfish in Virginia waters, unless an applicable federal fisheries permit is held; 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, 2005, through December 31, 2005.

CHAPTER 1080.

PERTAINING TO MONKFISH (GOOSEFISH).

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, except as described in subsection B of this section.

B. It shall be unlawful for any vessel to land or possess 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 12 months of a prior violation is a Class 1 misdemeanor.

VA.R. Doc. No. R05-185; Filed April 27, 2005, 11:54 a.m.

◆ ————— ◆

TITLE 9. ENVIRONMENT

STATE WATER CONTROL BOARD

REGISTRAR'S NOTICE: The proposed amendments to 9 VAC 25-260-310, 9 VAC 25-260-410, and 9 VAC 25-260-530 that were published in 21:5 VA.R. 476-496 November 15, 2004, were deferred by the State Water Control Board and have not been adopted in final form. Therefore, those sections have been removed and are not being printed at this time. The board will consider the final adoption of the amendments to these sections at a future meeting.

Title of Regulation: **9 VAC 25-260. Water Quality Standards (amend 9 VAC 25-260-5, 9 VAC 25-260-10, 9 VAC 25-260-50, [9 VAC 25-260-310,] 9 VAC 25-260-350 [, 9 VAC 25-260-410, 9 VAC 25-260-530]; add 9 VAC 25-260-185 [and 9 VAC 25-260-186]).**

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

Effective Date: Upon filing a notice of EPA approval with the Registrar of Regulations.

Agency Contact: Eleanore M. Daub, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4111, FAX (804) 698-4522, or e-mail emdaub@deq.virginia.gov.

Summary:

The amendments include updated numerical and narrative criteria to protect designated uses from the impacts of nutrients and suspended sediments in the Chesapeake Bay and its tidal tributaries. The amendments include new and revised use designations for these waters and are additions to the existing water quality standards regulation, which contains numerical and narrative criteria to protect use designations statewide. These amendments are substantive in that the Chesapeake Bay and its tidal tributaries will have separate uses and nutrient-related criteria from the rest of the state. To meet these new criteria, pollution sources upstream of the designated area must be controlled.

Changes to the proposed regulation include deferral of action on the numerical chlorophyll a criteria for the James River and the special standard for dissolved oxygen for the Mattaponi and Pamunkey rivers until the next scheduled State Water Control Board meeting and the addition of an allowance for compliance scheduling for Virginia Pollutant Discharge Elimination System (VPDES) permits. The deferred changes are in 9 VAC 25-260-310, 9 VAC 25-260-410, and 9 VAC 25-260-530. The board will consider the adoption of these sections at a future meeting.

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

REGISTRAR'S NOTICE: The proposed regulation was adopted as published 21:5 VA.R. 479-496 November 15, 2004, with the changes identified below. Pursuant to § 2.2-4031 A of the Code of Virginia, the adopted regulation is not published at length; however, the sections that have changed since publication of the proposed are set out.

9 VAC 25-260-5. [No change from proposed.]

9 VAC 25-260-10. Designation of uses.

A. All state waters, including wetlands, are designated for the following uses: recreational uses, e.g., swimming and boating; the propagation and growth of a balanced, indigenous population of aquatic life, including game fish, which might reasonably be expected to inhabit them; wildlife; and the production of edible and marketable natural resources, e.g., fish and shellfish.

B. *Subcategories of the propagation and growth of a balanced indigenous population of aquatic life, including game fish designated use for waters in the Chesapeake Bay and its tidal tributaries are listed in this subsection.*

1. *Migratory Fish Spawning and Nursery Designated Use: waters in the Chesapeake Bay and its tidal tributaries that protect the survival, growth and propagation of the early life stages of [a balanced, indigenous population of] anadromous, semi-anadromous [, catadromous] and tidal-fresh resident fish species inhabiting spawning and nursery grounds. This designated use extends from the end of tidal waters to the downriver end of spawning and nursery habitats that have been determined through a composite of all targeted anadromous and semi-anadromous fish species' spawning and nursery habitats (see boundaries in U.S. Environmental Protection Agency, 2004, Technical Support Document for Identification of Chesapeake Bay Designated Uses and Attainability 2004 Addendum, Chesapeake Bay Program Office, Annapolis, Maryland). This designated use extends horizontally from the shoreline of the body of water to the adjacent shoreline, and extends down through the water column to the bottom water-sediment interface. This use applies February 1 through May 31 and applies in addition to the open-water use described in this subsection.*

2. *Shallow-water Submerged Aquatic Vegetation Designated Use: waters in the Chesapeake Bay and its tidal tributaries that support the survival, growth and propagation of submerged aquatic vegetation (rooted, underwater bay grasses). This use applies April 1 through October 31 in tidal-fresh, oligohaline and mesohaline Chesapeake Bay Program segments, and March 1 through November 30 in polyhaline Chesapeake Bay Program segments and applies in addition to the open-water use described in this subsection.*

3. *Open Water Aquatic Life Designated Use: waters in the Chesapeake Bay and its tidal tributaries that protect the survival, growth and propagation of [a] balanced, indigenous [~~populations~~ population] of aquatic life inhabiting open-water habitats. This designated use applies year-round but the vertical boundaries change seasonally. October 1 through May 31, the open water aquatic life use extends horizontally from the shoreline at mean low water, to the adjacent shoreline, and extending through the water column to the bottom water-sediment interface. June 1 through September 30, if a pycnocline is present and, in combination with bottom bathymetry and water column circulation patterns, presents a barrier to oxygen replenishment of deeper waters, this designated use extends down into the water column only as far as the upper boundary of the pycnocline. June 1 through September 30, if a pycnocline is present but other physical circulation patterns (such as influx of oxygen rich oceanic bottom waters) provide for oxygen replenishment of deeper waters, the open-water aquatic life designated use extends down into the bottom water-sediment interface (see boundaries in U.S. Environmental Protection Agency, 2004 Technical Support Document for Identification of Chesapeake Bay Designated Uses and Attainability 2004 Addendum, Chesapeake Bay Program Office, Annapolis, Maryland). This designated use includes the migratory fish spawning and nursery and shallow-water submerged aquatic vegetation uses.*

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4. Deep Water Aquatic Life Designated Use: waters in the Chesapeake Bay and its tidal tributaries that protect the survival and growth of [a] balanced, indigenous [populations population] of aquatic life inhabiting deep-water habitats. This designated use extends to the tidally influenced waters located between the upper and lower boundaries of the pycnocline where, in combination with bottom bathymetry and water circulation patterns, a pycnocline is present and presents a barrier to oxygen replenishment of deeper waters. In some areas, the deep-water designated use extends from the upper boundary of the pycnocline down to the bottom water-sediment interface (see boundaries in U.S. Environmental Protection Agency, 2004 Technical Support Document for Identification of Chesapeake Bay Designated Uses and Attainability 2004 Addendum, Chesapeake Bay Program Office, Annapolis, Maryland). This use applies June 1 through September 30.

5. Deep Channel Seasonal Refuge Designated Use: waters in the Chesapeake Bay and its tidal tributaries that protect the survival of [a] balanced, indigenous [populations population] of benthic infauna and epifauna inhabiting deep-channel habitats. This designated use extends to the tidally influenced waters at depths greater than the lower boundary of the pycnocline in areas where, in combination with bottom bathymetry and water circulation patterns, the pycnocline presents a barrier to oxygen replenishment of deeper waters (see boundaries in U.S. Environmental Protection Agency, 2004 Technical Support Document for Identification of Chesapeake Bay Designated Uses and Attainability 2004 Addendum, Chesapeake Bay Program Office, Annapolis, Maryland). This use applies June 1 through September 30.

~~B. C.~~ In designating uses of a water body and the appropriate criteria for those uses, the board shall take into consideration the water quality standards of downstream waters and shall ensure that its water quality standards provide for the attainment and maintenance of the water quality standards of downstream waters.

~~C. D.~~ The board may adopt subcategories of a use and set the appropriate criteria to reflect varying needs of such subcategories of uses, for instance, to differentiate between cold water (trout streams) and warm water fisheries.

~~D. E.~~ At a minimum, uses are deemed attainable if they can be achieved by the imposition of effluent limits required under §§ 301(b) and 306 of the Clean Water Act and cost-effective and reasonable best management practices for nonpoint source control.

~~E. F.~~ Prior to adding or removing any use, or establishing subcategories of a use, the board shall provide notice and an opportunity for a public hearing under the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia).

~~F. G.~~ The board may adopt seasonal uses as an alternative to reclassifying a water body or segment thereof to uses requiring less stringent water quality criteria. If seasonal uses are adopted, water quality criteria should be adjusted to reflect the seasonal uses; however, such criteria shall not preclude the attainment and maintenance of a more protective use in another season.

~~G. H.~~ The board may remove a designated use which is not an existing use, or establish subcategories of a use, if the board can demonstrate that attaining the designated use is not feasible because:

1. Naturally occurring pollutant concentrations prevent the attainment of the use;
2. Natural, ephemeral, intermittent or low flow conditions or water levels prevent the attainment of the use unless these conditions may be compensated for by the discharge of sufficient volume of effluent discharges without violating state water conservation requirements to enable uses to be met;
3. Human caused conditions or sources of pollution prevent the attainment of the use and cannot be remedied or would cause more environmental damage to correct than to leave in place;
4. Dams, diversions or other types of hydrologic modifications preclude the attainment of the use, and it is not feasible to restore the water body to its original condition or to operate such modification in a way that would result in the attainment of the use;
5. Physical conditions related to the natural features of the water body, such as the lack of a proper substrate, cover, flow, depth, pools, riffles, and the like, unrelated to water quality, preclude attainment of aquatic life protection uses; or
6. Controls more stringent than those required by §§ 301(b) and 306 of the Clean Water Act would result in substantial and widespread economic and social impact.

~~H. I.~~ The board may not remove designated uses if:

1. They are existing uses, unless a use requiring more stringent criteria is added; or
2. Such uses will be attained by implementing effluent limits required under §§ 301(b) and 306 of the Clean Water Act and by implementing cost-effective and reasonable best management practices for nonpoint source control.

~~I. J.~~ Where existing water quality standards specify designated uses less than those which are presently being attained, the board shall revise its standards to reflect the uses actually being attained.

~~J. K.~~ The board must conduct a use attainability analysis whenever:

1. The board designates or has designated uses that do not include the uses specified in § 101(a)(2) of the Clean Water Act, or
2. The board wishes to remove a designated use that is specified in § 101(a)(2) of the Clean Water Act or to adopt subcategories of uses specified in § 101(a)(2) of the Clean Water Act which require less stringent criteria.

~~K. L.~~ The board is not required to conduct a use attainability analysis under this chapter whenever designating uses which include those specified in subsection A of this section.

9 VAC 25-260-50. [No change from proposed.]

9 VAC 25-260-185. Criteria to protect designated uses from the impacts of nutrients and suspended sediment in the Chesapeake Bay and its tidal tributaries.

A. Dissolved oxygen.

Designated Use	Criteria Concentration/ Duration	Temporal Application
Migratory fish spawning and nursery	7-day mean > 6 mg/l (tidal habitats with 0-0.5 ppt salinity)	February 1- May 31
	Instantaneous minimum > 5 mg/l	
Open water ¹ [²]	30 day mean > 5.5 mg/l (tidal habitats with 0-0.5 ppt salinity)	year-round
	30 day mean > 5 mg/l (tidal habitats with >0.5 ppt salinity)	
	7 day mean > 4 mg/l	
	Instantaneous minimum > 3.2 mg/l at temperatures <29°C Instantaneous minimum > 4.3 mg/l at temperatures > 29°C	
Deep water	30 day mean > 3 mg/l	June 1- September 30
	1 day mean > 2.3 mg/l	

	Instantaneous minimum > 1.7 mg/l	
Deep channel	Instantaneous minimum > 1 mg/l	June 1- September 30

~~[⁺ See subsection aa of 9 VAC 25-260-310 for site specific seasonal open water dissolved oxygen criteria applicable to the tidal Mattaponi and Pamunkey Rivers and their tidal tributaries.~~

² ¹] In applying this open water instantaneous criterion to the Chesapeake Bay and its tidal tributaries where the existing water quality for dissolved oxygen exceeds an instantaneous minimum of 3.2 mg/l, that higher water quality for dissolved oxygen shall be provided antidegradation protection in accordance with 9 VAC 25-610-30 A 2.

B. Submerged aquatic vegetation and water clarity. If the submerged aquatic vegetation (SAV) acres in this subsection are met in any individual Chesapeake Bay Program segment as described in subsection D of this section, then the shallow water submerged aquatic vegetation use is met in that segment. If the SAV acres in this subsection are not met in any individual Chesapeake Bay Program segment, then the water clarity criteria shall apply to the water clarity acres in that segment. If these water clarity criteria are met to the bottom water sediment interface for the number of water clarity acres in that segment, then the shallow-water submerged aquatic vegetation use is met; regardless of the number of acres of SAV in that segment.

Designated Use	Chesapeake Bay Program Segment	SAV Acres ¹	Water Clarity Criteria (percent light-through-water) ²	Water Clarity Acres ¹	Temporal Application
Shallow Water Submerged Aquatic Vegetation Use	CB5MH	7,633	22%	14,514	April 1 - October 31
	CB6PH	1,267	22%	3,168	March 1 - November 30
	CB7PH	15,107	22%	34,085	March 1 - November 30
	CB8PH	11	22%	28	March 1 - November 30
	POTTF	2,093	13%	5,233	April 1 - October 31
	POTOH	1,503	13%	3,758	April 1 - October 31
	POTMH	4,250	22%	10,625	April 1 - October 31
	RPPTF	66	13%	165	April 1 - October 31
	RPPOH	0	-	0	-
	RPPMH	1700	22%	5000	April 1 - October 31
	CRRMH	768	22%	1,920	April 1 - October 31
	PIAMH	3,479	22%	8,014	April 1 - October 31
	MPNTF	85	13%	213	April 1 - October 31
	MPNOH	0	-	0	-
	PMKTF	187	13%	468	April 1 - October 31
	PMKOH	0	-	0	-
	YRKMH	239	22%	598	April 1 - October 31
	YRKPH	2,793	22%	6,982	March 1 - November 30
	MOBPH	15,901	22%	33,990	March 1 - November 30
	JMSTF2	200	13%	500	April 1 - October 31
JMSTF1	1000	13%	2500	April 1 - October 31	
APPTF	379	13%	948	April 1 - October 31	
JMSOH	15	13%	38	April 1 - October 31	

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	CHKOH	535	13%	1,338	April 1 - October 31
	JMSMH	200	22%	500	April 1 - October 31
	JMSPH	300	22%	750	March 1 - November 30
	WBEMH	0	-	0	-
	SBEMH	0	-	0	-
	EBEMH	0	-	0	-
	LAFMH	0	-	0	-
	ELIPH	0	-	0	-
	LYNPH	107	22%	268	March 1 - November 30
	POCOH	0	-	0	-
	POCMH	4,066	22%	9,368	April 1 - October 31
	TANMH	13,579	22%	22,064	April 1 - October 31

¹ The assessment period for SAV and water clarity acres shall be the single best year in the most recent three consecutive years. When three consecutive years of data are not available, a minimum of three years within the most recent five years shall be used.

² Percent Light through Water = $100e^{(-K_dZ)}$ where K_d is water column light attenuation coefficient and can be measured directly or converted from a measured secchi depth where $K_d = 1.45/\text{secchi depth}$. Z = depth at location of measurement of K_d .

C. Chlorophyll a.

Designated Use	Chlorophyll a Narrative Criterion [¹]	Temporal Application
Open Water	Concentrations of chlorophyll a in free-floating microscopic aquatic plants (algae) shall not exceed levels that result in undesirable or nuisance aquatic plant life, or render tidal waters unsuitable for the propagation and growth of a balanced, indigenous population of aquatic life or otherwise result in ecologically undesirable water quality conditions such as reduced water clarity, low dissolved oxygen, food supply imbalances, proliferation of species deemed potentially harmful to aquatic life or humans or aesthetically objectionable conditions.	March 1 - September 30

[¹ See subsection bb of 9 VAC 25-260-310 for site specific seasonal open water chlorophyll a numerical criteria applicable to the tidal James River.]

D. Implementation.

1. Chesapeake Bay program segmentation scheme as described in Chesapeake Bay Program, 2004 Chesapeake Bay Program Analytical Segmentation Scheme-Revisions, Decisions and Rationales: 1983 - 2003, CBP/TRS 268/04, Chesapeake Bay Program, Annapolis, Maryland, is listed below and shall be used as the spatial assessment unit to determine attainment of the criteria in this section for each designated use.

Chesapeake Bay Segment Description	Segment Name ¹	Chesapeake Bay Segment [Description Description]	Segment Name ¹
Lower Central Chesapeake Bay	CB5MH	Mobjack Bay	MOBPH
Western Lower Chesapeake Bay	CB6PH	Upper Tidal Fresh James River	JMSTF2
Eastern Lower Chesapeake Bay	CB7PH	Lower Tidal Fresh James River	JMSTF1
Mouth of the Chesapeake Bay	CB8PH	Appomattox River	APPTF
Upper Potomac River	POTTF	Middle James River	JMSOH
Middle Potomac River	POTOH	Chickahominy River	CHKOH

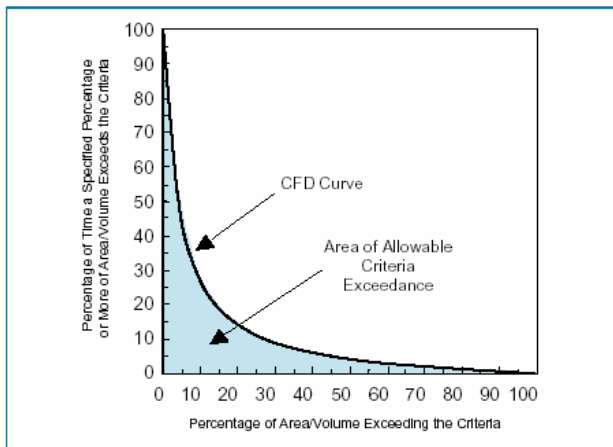
Lower Potomac River	POTMH	Lower James River	JMSMH
Upper Rappahannock River	RPPTF	Mouth of the James River	JMSPH
Middle Rappahannock River	RPPOH	Western Branch Elizabeth River	WBEMH
Lower Rappahannock River	RPPMH	Southern Branch Elizabeth River	SBEMH
Corrotoman River	CRRMH	Eastern Branch Elizabeth River	EBEMH
Piankatank River	PIAMH	Lafayette River	LAFMH
Upper Mattaponi River	MPNTF	Mouth of the Elizabeth River	ELIPH
Lower Mattaponi River	MPNOH	Lynnhaven River	LYNPH
Upper Pamunkey River	PMKTF	Middle Pocomoke River	POCOH
Lower Pamunkey River	PMKOH	Lower Pocomoke River	POCMH
Middle York River	YRKMH	Tangier Sound	TANMH
Lower York River	YRKPH		

¹First three letters of segment name represent Chesapeake Bay segment description, letters four and five represent the salinity regime of that segment (TF = Tidal Fresh, OH = Oligohaline, MH = Mesohaline and PH = Polyhaline) and a sixth space is reserved for subdivisions of that segment.

2. The assessment period shall be the most recent three consecutive years. When three consecutive years of data are not available, a minimum of three years within the most recent five years shall be used.

3. Attainment of these criteria shall be assessed through comparison of the generated cumulative frequency distribution of the monitoring data to the applicable criteria reference curve for each designated use. If the monitoring data cumulative frequency curve is completely contained inside the reference curve, then the segment is in attainment of the designated use. The reference curves and procedures to be followed are published in the USEPA, Ambient Water Quality Criteria for Dissolved Oxygen, Water Clarity and Chlorophyll a for the Chesapeake Bay and Its Tidal Tributaries, EPA 903-R-03-002, April 2003. If no reference curve is published, the cumulative frequency distribution reference curve in Figure 1, which represents 10% allowable exceedences equally distributed between time and space, shall be the applicable reference curve. An exception to this requirement is in measuring attainment of the SAV acres, which are compared directly to the criteria.

Figure 1.



[B. National Pollutant Discharge Elimination System permits issued by permitting authorities with the Chesapeake Bay watershed may include a compliance schedule in accordance with implementing regulations requiring compliance as soon as possible with nutrient load limitations assigned to individual dischargers.]

9 VAC 25-260-350. [No change from proposed.]

DOCUMENTS INCORPORATED BY REFERENCE: No change from proposed.

VA.R. Doc. No. R04-39; Filed April 19, 2005, 1:28 p.m.

TITLE 18. PROFESSIONAL AND OCCUPATIONAL LICENSING

BOARD FOR FUNERAL DIRECTORS AND EMBALMERS

Title of Regulation: **18 VAC 65-20. Regulations of the Board of Funeral Directors and Embalmers (adding 18 VAC 65-20-15).**

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

Effective Date: June 15, 2005.

Agency Contact: Elizabeth Young, Executive Director, Board for Funeral Directors and Embalmers, 6603 West Broad Street, 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9907, FAX (804) 662-9943, or e-mail elizabeth.young@dhp.virginia.gov.

[9 VAC 25-260-186. Virginia Pollutant Discharge Elimination System permits and schedules of compliance.]

[4. A.] As deemed necessary to meet the requirements of [this section 9 VAC 25-260-185], the board shall issue or modify Virginia Pollutant Discharge Elimination System permits for point source dischargers located throughout the tidal and nontidal sections of the following river basins: Potomac (9 VAC 25-260-390 and 9 VAC 25-260-400), James (9 VAC 25-260-410, 9 VAC 25-260-415, 9 VAC 25-260-420 and 9 VAC 25-260-430), Rappahannock (9 VAC 25-260-440), York (9 VAC 25-260-530) and Chesapeake Bay/Small Coastal Basins (subdivisions 2 through 3g of 9 VAC 25-260-520).

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Summary:

The proposed amendments establish the criteria for delegation of informal fact-finding proceedings to an agency subordinate, including the decision to delegate at the time of a probable cause determination, the types of cases that cannot be delegated, and the individuals who may be designated as agency subordinates. The regulation replaces emergency regulations that have been in effect since July 15, 2004.

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

18 VAC 65-20-15. Criteria for delegation of informal fact-finding proceedings to an agency subordinate.

A. *Decision to delegate.* In accordance with § 54.1-2400 (10) of the Code of Virginia, the board may delegate an informal fact-finding proceeding to an agency subordinate upon determination that probable cause exists that a practitioner may be subject to a disciplinary action.

B. *Criteria for delegation.* Cases that may not be delegated to an agency subordinate are those that involve:

1. *Intentional or negligent conduct that causes or is likely to cause injury;*
2. *Conducting the practice of funeral services in such a manner as to constitute a danger to the health, safety, and well-being of the staff or the public;*
3. *Impairment with an inability to practice with skill and safety;*
4. *Inappropriate handling of dead human bodies;*
5. *Sexual misconduct;*
6. *Misappropriation of funds; or*
7. *Aiding or abetting unauthorized practice.*

C. *Criteria for an agency subordinate.*

1. *An agency subordinate authorized by the board to conduct an informal fact-finding proceeding may include board members deemed knowledgeable by virtue of their training and experience in administrative proceedings involving the regulation and discipline of health professionals.*
2. *The executive director shall maintain a list of appropriately qualified persons to whom an informal fact-finding proceeding may be delegated.*
3. *The board may delegate to the executive director the selection of the agency subordinate who is deemed appropriately qualified to conduct a proceeding based on the qualifications of the subordinate and the type of case being heard.*

VA.R. Doc. No. R04-254; Filed April 27, 2005, 9:54 a.m.

BOARD OF NURSING HOME ADMINISTRATORS

REGISTRAR'S NOTICE: The following regulatory actions are 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 Nursing Home Administrators will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision.

Title of Regulation: **18 VAC 95-10. Public Participation Guidelines (amending 18 VAC 95-10-10 and 18 VAC 95-10-20).**

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

Effective Date: July 1, 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:

Chapters 610 and 924 of the 2005 Acts of Assembly changed the title of the Board of Nursing Home Administrators to the Board of Long-Term Care Administrators. The amendments reflects the change in board name.

18 VAC 95-10-10. Purpose.

The purpose of this chapter is to provide guidelines for the involvement of the public in the development and promulgation of regulations of the Board of ~~Nursing Home~~ Long-Term Care Administrators. The guidelines do not apply to regulations exempted or excluded from the provisions of the Administrative Process Act. These rules seek to expand participation by providing for electronic exchange with the public and thereby increasing participation, reducing costs, and improving the speed of communication.

18 VAC 95-10-20. Definitions.

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

"Administrative Process Act" means Chapter 40 (§ 2.2-4000 et seq.) of Title 2.2 of the Code of Virginia.

"Board" means the Board of ~~Nursing Home~~ Long-Term Care Administrators.

"Notification lists" means lists used by the board to notify persons pursuant to these rules. Such lists may include electronic mailing lists maintained through a state website or regular mailing lists maintained by the board.

"Person" means an individual, a corporation, a partnership, an association, a governmental body, a municipal corporation, or any other legal entity.

VA.R. Doc. No. R05-172; Filed April 27, 2005, 9:54 a.m.

Title of Regulation: 18 VAC 95-20. Regulations Governing the Practice of Nursing Home Administrators (amending 18 VAC 95-20-10).

Statutory Authority: § 54.1-2400 and Chapter 31 (§ 54.1-3100 et seq.) of Title 54.1 of the Code of Virginia.

Effective Date: July 1, 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:

Chapters 61 and 924 of the 2005 Acts of Assembly changed the title of the Board of Nursing Home Administrators to the Board of Long-Term Care Administrators. The amendment reflects the change in board name.

CHAPTER 20.
REGULATIONS OF GOVERNING THE BOARD PRACTICE
OF NURSING HOME ADMINISTRATORS.

18 VAC 95-20-10. Definitions.

A. The following words and terms when used in this chapter shall have the definitions ascribed to them in § 54.1-3100 of the Code of Virginia:

Board

Nursing home

Nursing home administrator

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

"Accredited institution" means any degree-granting college or university accredited by an accrediting body approved by the United States Department of Education or any diploma-granting program approved by the Virginia Board of Nursing.

"A.I.T." means a person enrolled in the administrator-in-training program in nursing home administration in a licensed nursing home.

"Administrator-of-record" means the licensed nursing home administrator designated in charge of the general administration of the facility and identified as such to the facility's licensing agency.

"Approved sponsor" means an individual, business or organization approved by the National Association of Boards of Examiners for Long Term Care Administrators or by an accredited education institution to offer continuing education programs in accordance with this chapter.

"Continuing education" means the educational activities which serve to maintain, develop, or increase the knowledge, skills,

performance and competence recognized as relevant to the nursing home administrator's professional responsibilities.

"Full time" means employment of at least 35 hours per week.

"Hour" means 60 minutes of participation in a program for obtaining continuing education.

"Internship" means a practicum or course of study as part of a degree or post-degree program designed especially for the preparation of candidates for licensure as nursing home administrators that involves supervision by an accredited college or university of the practical application of previously studied theory.

"National examination" means a test used by the board to determine the competence of candidates for licensure as administered by the National Association of Boards of Examiners for Long Term Care Administrators or any other examination approved by the board.

"Preceptor" means a nursing home administrator currently licensed and registered or recognized by a nursing home administrator licensing board to conduct an administrator-in-training (A.I.T.) program.

"State examination" means a test used by the Board of ~~Nursing Home Long-Term Care~~ Administrators to determine competency of a candidate relevant to regulations and laws in Virginia governing nursing home administration.

NOTICE: The forms used in administering 18 VAC 95-20, Regulations Governing the Practice of Nursing Home Administrators, are not being published due to the large number; however, the name of each form is listed below. The forms are available for public inspection at the Department of Health Professions, 6603 West Broad Street, Richmond, Virginia, or at the office of the Registrar of Regulations, General Assembly Building, 2nd Floor, Richmond, Virginia.

FORMS

Application for Nursing Home Administrator Licensure, General Information (eff. 7/05).

Application for Nursing Home Administrator Licensure (rev. ~~4/02~~ 7/05).

Endorsement Certification Form A (rev. ~~4/02~~ 7/05).

Application for Administrator-in-Training Registration, General Information (eff. 7/05).

Application for Administrator-in-Training Registration (rev. ~~3/03~~ 7/05).

Application for Preceptor Registration (rev. ~~4/02~~ 7/05).

Application for Reinstatement of License (rev. ~~4/02~~ 7/05).

Renewal Notice (eff. 4/05).

Renewal Notice and Application (rev. ~~2002~~ 7/05).

VA.R. Doc. No. R05-180; Filed April 28, 2005, 10:49 a.m.

Final Regulations

BOARD OF OPTOMETRY

Title of Regulation: **18 VAC 105-20. Regulations Governing the Practice of Optometry (adding 18 VAC 105-20-41).**

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

Effective Date: June 15, 2005.

Agency Contact: Elizabeth A. Carter, Ph.D., Executive Director, Board of Optometry, 6603 West Broad Street, 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9910, FAX (804) 662-7098, or e-mail elizabeth.carter@dhp.virginia.gov.

Summary:

The regulation establishes the criteria for delegation of informal fact-finding proceedings to an agency subordinate, including the decision to delegate at the time of a probable cause determination, the types of cases that may be delegated upon approval of a committee of the board except those involving endangerment to the welfare of the public, and the individuals who may be designated as agency subordinates.

The regulation replaces emergency regulations that have been in effect since August 25, 2004.

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

18 VAC 105-20-41. Criteria for delegation of informal fact-finding proceedings to an agency subordinate.

A. Decision to delegate. In accordance with § 54.1-2400 (10) of the Code of Virginia, the board may delegate an informal fact-finding proceeding to an agency subordinate upon determination that probable cause exists that a practitioner may be subject to a disciplinary action.

B. Criteria for delegation. Cases may be delegated to an agency subordinate upon approval by a committee of the board, except those in which an optometrist may have conducted his practice in such a manner as to endanger the health and welfare of his patients or the public.

C. Criteria for an agency subordinate.

1. An agency subordinate authorized by the board to conduct an informal fact-finding proceeding may include current or past board members and professional staff or other persons deemed knowledgeable by virtue of their training and experience in administrative proceedings involving the regulation and discipline of health professionals.

2. The executive director shall maintain a list of appropriately qualified persons to whom an informal fact-finding proceeding may be delegated.

3. The board may delegate to the executive director the selection of the agency subordinate who is deemed appropriately qualified to conduct a proceeding based on the qualifications of the subordinate and the type of case being heard.

VA.R. Doc. No. R04-230; Filed April 27, 2005, 9:53 a.m.

TITLE 19. PUBLIC SAFETY

DEPARTMENT OF STATE POLICE

REGISTRAR'S NOTICE: The Department of State Police is claiming an exemption from the Administrative Process Act pursuant to § 2.2-4002 B 6 of the Code of Virginia, which exempts agency action relating to customary military, naval or police functions.

Title of Regulation: **19 VAC 30-70. Motor Vehicle Safety Inspection Rules and Regulations (amending 19 VAC 30-70-210).**

Statutory Authority: § 46.2-1165 of the Code of Virginia.

Effective Date: April 15, 2005.

Agency Contact: Sergeant Robert L. Evans, 491 Southlake Boulevard, Richmond, VA 23236-3044, telephone (804) 378-3478, FAX (804) 378-3487 or e-mail robert.evans@vsp.virginia.gov.

Summary:

The amendments (i) limit the size of stickers that may be placed on a windshield in the blind spot behind the rear view mirror and (ii) provide specifications for the placement of Department of Defense decals and Commercial Vehicle Safety Alliance (CVSA) inspection decals.

19 VAC 30-70-210. Glass and glazing.

A. Motor vehicles may be inspected without windshields, side glasses, or any kind of glazing, except that any motor vehicle other than a motorcycle that was manufactured, assembled, or reconstructed after July 1, 1970, must be equipped with a windshield. If glass or other glazing is installed, it must be inspected. If no windshield is installed, see 19 VAC 30-70-50 C for location of the sticker.

B. INSPECT FOR AND REJECT IF:

1. Any motor vehicle manufactured or assembled after January 1, 1936, or any bus, taxicab or school bus manufactured or assembled after January 1, 1935, is not equipped throughout with safety glass, or other safety glazing material. (This requirement includes slide-in campers used on pickups or trucks, caps, or covers used on pickup trucks, motor homes, and vans.)

2. Any safety glass or glazing used in a motor vehicle is not of an approved type and properly identified (DOT and AS-1, AS-2, or AS-3). (Replacement safety glass installed in any part of a vehicle other than the windshield need not bear a trademark or name, provided the glass consists of two or more sheets of glass separated by a glazing material, and provided the glass is cut from a piece of approved safety glass, and provided the edge of the glass can be observed.)

NOTE: A number of 1998 and 1999 model year Ford Contour/Mystique, Econoline and Ranger vehicles were

produced without the AS-1 windshield marking as required by FMVSS #205. Ford has certified that these vehicles' windshields meet all performance standards and will not be rejected.

3. Any glass at any location where glass is used is cracked or broken so that it is likely to cut or injure a person in the vehicle.

4. Windshield has any cloudiness more than three inches above the bottom, one inch inward from the outer borders, one inch down from the top, or one inch inward from the center strip. The bottom of the windshield shall be defined as the point where the top of the dash contacts the windshield.

5. Any distortion or obstruction that interferes with a driver's vision; any alteration that has been made to a vehicle that obstructs the driver's clear view through the windshield. This may include but is not limited to large objects hanging from the inside mirror, CB radios or tachometers on the dash, hood scoops and other ornamentation on or in front of the hood that is not transparent.

a. Any hood scoop installed on any motor vehicle manufactured for the year 1990 or earlier model year cannot exceed 2-1/4 inches high at its highest point measured from the junction of the dashboard and the windshield.

b. Any hood scoop installed on any motor vehicle manufactured for the 1991 or subsequent model year cannot exceed 1-1/8 inches high at its highest point measured from the junction of the dashboard and the windshield.

6. Windshield glass, on the driver's side, has any scratch more than 1/4 inch in width and six inches long within the area covered by the windshield wiper blade, excluding the three inches above the bottom of the windshield. A windshield wiper that remains parked within the driver's side windshield wiper area shall be rejected.

EXCEPTION: Do not reject safety grooves designed to clean wiper blades if the grooves do not extend upward from the bottom of the windshield more than six inches at the highest point.

7. There is a pit, chip, or star crack larger than 1-1/2 inches in diameter at any location in the windshield above the three-inch line at the bottom.

8. At any location in the windshield above the three-inch line at the bottom (as measured from the junction of the dash board and the windshield) there is more than one crack from the same point if at least one of the cracks is more than 1-1/2 inches in length. There is any crack that weakens the windshield so that one piece may be moved in relation to the other. (If there is more than one crack running from a star crack that extends above the three-inch line, the windshield shall be rejected.)

EXCEPTION: Windshield repair is a viable option to windshield replacement. A windshield that has been repaired will pass inspection unless:

a. It is likely to cut or injure a person.

b. There is any distortion that interferes with a driver's vision.

c. The windshield remains weakened so that one piece may be moved in relation to the other.

d. The integrity of the windshield has obviously been compromised by the damage or the repair.

9. Any sticker is on the windshield other than an official one required by law or permitted by the Superintendent. Authorization is hereby granted to stickers measuring not more than ~~three~~ 2-1/2 inches in width and ~~eight~~ four inches in length to be affixed to the upper edge of the center of the windshield. ~~Any sticker required by law must be placed adjacent to the official inspection sticker and must not extend upward more than three inches from the bottom of the windshield, except on vehicles operating in interstate commerce under rules and regulations of ICC stickers required by law must not extend upward more than 4-1/2 inches from the bottom of the windshield placed in the blind spot behind the rear view mirror. Department of Defense decals measuring no more than three inches in width and eight inches in length may be affixed to the upper edge of the center of the windshield. At the option of the motor vehicle's owner, the decal may be affixed at the lower left corner of the windshield so that the inside or left edge of the sticker or decal is within one inch of the extreme left edge of the windshield when looking through the windshield from inside the vehicle. When placed at this location, the bottom edge of the sticker or decal must be affixed within three inches of the bottom of the windshield. This location can only be used if the owner of the vehicle has chosen not to place any required county, town or city decal there. The normal location for any required county, town, or city decal is adjacent to the official inspection sticker and must not extend upward more than three inches from the bottom of the windshield. Commercial Vehicle Safety Alliance (CVSA) inspection decals may be placed at the bottom or sides of the windshield provided such decals do not extend more than 4-1/2 inches from the bottom of the windshield and are located outside the area swept by the windshield wipers and outside the driver's sight line.~~

Fastoll Transponder devices may be affixed to the inside center of the windshield at the roof line just above the rear view mirror. If space does not allow, then it may be affixed to the immediate right of the mirror at the roof line.

Any sticker required by the laws of any other state or the District of Columbia and displayed upon the windshield of a vehicle submitted for inspection in this state is permitted by the Superintendent, provided the vehicle is currently registered in that jurisdiction and the sticker is displayed in a manner designated by the issuing authority and has not expired. This includes vehicles with dual registration; i.e., Virginia and the District of Columbia.

NOTE: Volvo placed a warning sticker on the windshield of their cars equipped with side impact air bags. In accordance with this paragraph the sticker shall be removed. If the sticker can be removed intact then it may

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be placed on the left rear window in the lower front corner. Customers should be referred to the nearest Safety Division area office for replacement if it could not be removed intact.

10. Stickers or decals used by counties, cities and towns in lieu of license plates may be placed on the windshield without further authority. Except on privately owned yellow school buses, the sticker or decal shall be placed on the windshield adjacent to the right side of the official inspection sticker or the optional placement to the extreme lower left side of the windshield. The top edge of the sticker or decal shall not extend upward more than three inches from the bottom of the windshield. The left side edge adjacent to the official inspection sticker shall not be more than 1/4 inch from the right edge of the official inspection sticker when looking through the windshield from inside the vehicle. At the option of the motor vehicle owner, the sticker or decal may be affixed at the lower left corner of the windshield so that the inside or left edge of the sticker or decal is within one inch of the extreme left edge of the windshield when looking through the windshield from inside the vehicle. When placed at this location, the bottom edge of the sticker or decal must be affixed within three inches of the bottom of the windshield. Any expired sticker or decal, excluding a rejection sticker that is present on the windshield at the time of inspection, shall not be issued an approval sticker unless the owner/operator "authorizes" its removal. A rejection sticker will be issued versus an involuntary removal. On privately owned yellow school buses, the sticker or decal shall be placed on the windshield adjacent to the left side of the official inspection sticker, and not more than 1/4 inch from the left edge of the official inspection sticker when looking through the windshield from inside the vehicle. The top edge of the sticker shall not extend upward more than three inches from the bottom of the windshield.

11. Sunshading material attached to the windshield extends more than three inches downward from the top of the windshield, unless authorized by a medical waiver certificate.

NOTE: Sunshading material on windshield displaying words, lettering, numbers or pictures is not approved and is not permitted.

12. Any sunscreening material is scratched, distorted, wrinkled or obscures or distorts clear vision through the glazing.

13. Front side windows have cloudiness above three inches from the bottom of the glass or other defects that affect the driver's vision or one or more cracks which permit one part of the glass to be moved in relation to another part. Wind silencers, breezes or other ventilator adaptors are not made of clear transparent material.

EXCEPTION: Colored or tinted ventvisors that do not exceed more than two inches from the forward door post into the driver's viewing area are permitted.

14. Glass in the left front door cannot be raised or lowered easily so a hand signal can be given. (This does not apply to vehicles that were not designed and/or manufactured for the left front glass to be lowered, provided the vehicle is

equipped with approved turn signals.) If either front door has the glass removed and material inserted in place of the glass that could obstruct the driver's vision.

EXCEPTION: Sunscreening material is permissible if the vehicle is equipped with a mirror on each side.

15. Any sticker or other obstruction is on either front side window, rear side windows, or rear windows. (The price label, fuel economy label and the buyer's guide required by federal statute and regulations to be affixed to new/used vehicles by the manufacturer shall normally be affixed to one of the rear side windows.) If a vehicle only has two door windows, the labels may be affixed to one of these windows. If a vehicle does not have any door or side windows the labels may be temporarily affixed to the right side of the windshield until the vehicle is sold to the first purchaser.

NOTE: A single sticker no larger than 20 square inches in area, if such sticker is totally contained within the lower five inches of the glass in the rear window or a single sticker or decal no larger than 10 square inches located in an area not more than three inches above the bottom and not more than eight inches from the rearmost edge of either front side window, is permissible and should not be rejected.

A single sticker issued by the Department of Transportation to identify a physically challenged driver, no larger than two inches X two inches, located not more than one inch to the rear of the front door post, or one inch to the rear of the front ventilator glass, if equipped with a ventilator glass, and no higher than one inch from the bottom of the window opening, is permitted on the front driver's side window on a vehicle specially equipped for the physically challenged.

16. Rear window is clouded or distorted so that the driver does not have a view 200 feet to the rear.

EXCEPTIONS: The following are permissible if the vehicle is equipped with a mirror on each side:

a. There is attached to one rear window of such motor vehicle one optically grooved clear plastic right angle rear view lens, not exceeding 18 inches in diameter in the case of a circular lens or not exceeding 11 inches by 14 inches in the case of a rectangular lens, which enables the operator of the motor vehicle to view below the line of sight as viewed through the rear window.

b. There is affixed to the rear side windows, rear window or windows of such motor vehicle any sticker or stickers, regardless of size.

c. There is affixed to the rear side windows, rear window or windows of such motor vehicle a single layer of sunshading material.

d. Rear side windows, rear window or windows is clouded or distorted.

VA.R. Doc. No. R05-168; Filed April 15, 2005, 3:03 p.m.



TITLE 20. PUBLIC UTILITIES AND TELECOMMUNICATIONS

STATE CORPORATION COMMISSION

REGISTRAR'S NOTICE: The State Corporation Commission is exempt from the Administrative Process Act in accordance with § 2.2-4002 A 2 of the Code of Virginia, which exempts courts, any agency of the Supreme Court, and any agency that by the Constitution is expressly granted any of the powers of a court of record.

Title of Regulation: 20 VAC 5-315. Regulations Governing Net Energy Metering (amending 20 VAC 5-315-20, 20 VAC 5-315-30 and 20 VAC 5-315-40; repealing 20 VAC 5-315-90).

Statutory Authority: §§ 12.1-13, 56-576 and 56-594 of the Code of Virginia.

Effective Date: April 26, 2005.

Agency Contact: Kara Hart, Attorney, Office of General Counsel, State Corporation Commission, 1300 East Main Street, P.O. Box 1197, Richmond, VA 23218, telephone (804) 371-9671, FAX (804) 371-9240, or e-mail kara.hart@scc.virginia.gov.

Summary:

The final regulations change the definition of "renewable fuel generator" by increasing the upper limit for nonresidential customers from 25 kilowatts to 500 kilowatts. The final amendments require a renewable fuel generator with capacity greater than 25 kilowatts to notify the electric distribution company at least 60 days prior to the date of intended interconnection. The electric distribution company has 60 days from the date notified to determine whether the interconnection conditions have been met. Also for renewable fuel generators with at least 25 kilowatts in capacity, the final amendments include electric distribution facilities and customer impact limitations; secondary, service and service entrance limitations; transformer loading limitations; integration with electric distribution company facilities grounding; and balance limitations. As an additional interconnection condition, the vendor must now certify that the renewable fuel generator being installed is in compliance with IEEE Standard 1547.

The following amendments are made to the proposed regulations. The final regulations state that the renewal fuel generator's grounding scheme must be consistent with that of the electric distribution company and that, upon request, the electric distribution company shall assist prospective customer-generators in selecting a coordinating scheme. The final regulations specify that "renewable fuel generator" means an electrical generating facility that is interconnected pursuant to a net metering arrangement with an electric distribution company's facilities. They also clarify that the 0.1% limit on the total renewable fuel generator capacity in each Virginia electric distribution company's service territory is intended to apply only to renewable fuel generators that

net meter and only to the Virginia portion of the service territory. Finally, 20 VAC 5-315-90 is repealed and the commission-approved notification form is moved to the forms section of the regulation.

AT RICHMOND, APRIL 20, 2005

COMMONWEALTH OF VIRGINIA *ex rel.*

STATE CORPORATION COMMISSION

CASE NO. PUE-2004-00060

Ex Parte: In the matter of amending regulations governing net energy metering

ORDER ADOPTING FINAL REGULATIONS

Chapter 827 of the 2004 Acts of Assembly amended § 56-594 of the Virginia Electric Utility Restructuring Act, Chapter 23 (§ 56-576 et seq.) of Title 56 of the Code of Virginia ("Restructuring Act"), which permits eligible customer-generators to engage in net energy metering by interconnecting their electrical generating facilities with a utility's electric grid and receiving credit for electricity generated and fed back to the electric grid. The 2004 General Assembly revised the definition of eligible customer-generator to mean, among other things, a nonresidential customer that owns and operates an electrical generating facility that has a capacity of not more than 500 kW. The current Regulations Governing Net Energy Metering, 20 VAC 5-315-10 et seq. ("Net Energy Metering Rules") reflect the original 25 kW capacity limit for nonresidential customers.

On June 3, 2004, the Commission entered an Order Establishing Proceeding to amend the Net Energy Metering Rules. Notice of this proceeding was published in the Virginia Register of Regulations and in newspapers of general circulation throughout the Commonwealth. Interested persons were directed to file any comments and requests for hearing on the revision of the definition of a customer-generator and how the capacity increase may otherwise need to be reflected in the Net Energy Metering Rules.

Appalachian Power Company ("APCO"); the Virginia Department of Environmental Quality ("DEQ"); Virginia Electric and Power Company ("Virginia Power"); the Maryland, District of Columbia, Virginia Solar Energy Industries Association ("MDV-SEIA"); and the Virginia Wind Energy Collaborative ("VWEC") filed comments on or before the July 19, 2004, deadline.

On August 5, 2004, Virginia Power filed a motion requesting leave to file reply comments and a modification of the procedural schedule, as well as the convening of a work group prior to the filing of the Staff Report and an opportunity to comment on the Staff Report ("Motion").

Ultimately, after receiving responses to the Motion and a reply from Virginia Power renewing its request for a work group, on September 17, 2004, the Commission issued an Order granting the Motion. The Commission directed the Staff to convene a work group on October 6, 2004, to focus on developing amendments to the Net Energy Metering Rules that are essential to increasing the capacity limit for nonresidential customer generators from 25 kW to 500 kW.

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The Staff was directed to file a report that included proposed rules and interested parties were afforded the opportunity to comment on the Staff Report.

On November 19, 2004, the Staff filed its report. The Staff Report noted that APCO, DEQ, Virginia Power, MDV-SEIA, VVEC, as well as Old Mill Power Company and the Virginia, Maryland & Delaware Association of Electric Cooperative participated in the work group. Based on the deliberations of the work group, the Staff drafted proposed rules ("Proposed Rules") which were included in the Staff Report. Among other things, the Proposed Rules amend the definition of "renewable fuel generator" to reflect the statutory change in capacity limit to 500 kW for nonresidential generators; require nonresidential renewable fuel generators with capacity in excess of 25 kW to submit notification to the electric distribution provider or energy service provider at least 60 days prior to the date of interconnection; and require all renewable fuel generators to be in compliance with the requirements of IEEE Standard 1547. Additional requirements for interconnection for nonresidential customer-generator systems with capacity in excess of 25 kW include: electric distribution facilities and customer impact limitations; secondary, service, and service entrance limitations; transformer loading limitations; integration with electric distribution company facilities grounding; and balance limitations. The Interconnection Notification form is revised to include a recommendation that a prospective net metering customer contact the electric distribution company prior to making financial commitments to the project.

The Staff Report made two suggestions, which although not directly related to increasing the capacity limit for nonresidential customer-generators to 500 kW, clarify the Net Energy Metering Rules and assure consistency with the Code. The Staff proposed to make clear in 20 VAC 5-315-40 that the 0.1% limit on the total renewable fuel generator capacity in each electric distribution company's service territory was intended to apply only to renewable fuel generators that net meter and only to the Virginia portion of the service territory. The Staff did not include these proposals in the Proposed Rules, but requested that the Commission consider the suggestions.

In addition, the Staff Report indicated that the work group discussed permitting currently prohibited time-of-use metering by net metering customers, but that no resolution was reached on the issue by the work group. Therefore, the Staff made no recommendation on reversing the prohibition against time-of-use metering.

On December 9, 2004, Mr. Alden M. Hathaway, who lives in a solar powered home and is net-metered, filed comments requesting the opportunity to be on a time-of-use rate schedule.

On December 10, 2004, comments on the Staff Report were received from APCO, Virginia Power, MDV-SEIA, and VVEC. APCO indicated satisfaction with the Proposed Rules. Virginia Power supported the Proposed Rules and did not oppose the Staff suggestions for clarification. In comments and in the work group, MDV-SEIA had argued that the restriction on time-of-use metering contained in the current

Net Metering Rules should be eliminated. The Proposed Rules do not eliminate the prohibition and MDV-SEIA again asserted that such prohibition should be eliminated. In addition, MDV-SEIA suggested that the definition of net-metered customer should be amended to include a customer who leases its renewable fuel generating equipment. VVEC generally supported the Proposed Rules, but requested the elimination of the time-of-use prohibition and suggested changes in the definition of renewable fuel generator and the language pertaining to the grounding requirements for renewable fuel generators with capacity in excess of 25 kW.

On December 23, 2004, the Commission issued an Order for Notice and Inviting Comments and Requests for Hearing. The Proposed Rules were published in the Virginia Register of Regulations and in newspapers of general circulation throughout the Commonwealth. Interested persons were directed to file any comments and requests for hearing on or before February 14, 2005. The Commission specifically requested comments on the issue of time-of-use net metering.

On February 14, 2005, APCO filed a letter stating that it did not intend to file additional comments or to request a hearing. Also on February 14, 2005, Virginia Power filed a letter stating that it did not request a hearing and that it continued to support its comments filed December 10, 2004.

On February 15, 2005, Allegheny Power late-filed comments supporting the Proposed Rules and asserting that there is no conflict between the rule prohibiting time-of-use metering and the increase in capacity for nonresidential customer generators.

On March 2, 2005, MDV-SEIA filed additional comments on the issue of time-of-use metering and requested leave to file such comments out-of-time. MDV-SEIA argues, among other things, that the prohibition on time-of-use metering thwarts the intent of the Restructuring Act and the Net Energy Metering Rules.

On March 10, 2005, the Commission issued an Order Permitting Response and Reply accepting the late-filed comments and permitting the parties to the proceeding and the Staff to file any response to the filings by Allegheny Power, MDV-SEIA, and VVEC on or before March 24, 2005.

On March 24, 2005, APCO filed a response stating that time-of-use metering is not a proper subject for this proceeding and that the issue should not be considered on the basis of late-filed comments with limited time for reply comment. APCO suggested consideration of time-of-use metering in a separate proceeding. In addition, APCO asserted that MDV-SEIA misinterprets APCO's tariffs and stated that its customers with loads in excess of 25 kW are not required to have time-of-use meters.

Also on March 24, 2005, Virginia Power filed a response first arguing that the elimination of the prohibition on time-of-use customers participating in net metering is outside the scope of implementing the legislative change as directed by the Commission in this proceeding. Virginia Power stated that the increased capacity threshold should not impact the rule prohibiting time-of-use metering and that the time-of-use prohibition is not necessarily contrary to the public interest.

Virginia Power further asserted that there are unresolved issues and that net metering on time-of-use rates for a large customer is extremely problematic and an administrative nightmare. In addition, Virginia Power argued that time-of-use net metering would require either two standard meters or one special bidirectional time-of-use meter, and that the customer should pay for any resulting increased metering and billing costs. Finally, Virginia Power indicated that it may be better for the Commission to take a wait-and-see approach. Virginia Power asserted that other market options for customers with renewable systems are being developed and that the Committee on Electric Utility Restructuring ("CEUR") was recently appropriated money for a study to determine whether the purported benefits of increased use of renewable energy resources to generate electricity in Virginia outweigh the predicted increased costs, compared to the status quo.

As permitted by the Commission's March 24, 2005, Order Granting Motion for an extension, the Staff filed its response on March 28, 2005, noting that time-of-use metering was given limited consideration in the last rulemaking. The Staff stated its belief that arguments for the elimination of the time-of-use prohibition on net metering customer-generators are reasonable and, conceptually, have public interest merit. However, the Staff expressed its continuing concerns about the complexities and costs associated with metering and billing for time-of-use customer-generators. The Staff indicated that it now understands that time-of-use net metering may not necessarily require two meters as it may be possible to set up an electronic meter to act in a bidirectional manner, but that it would be necessary to determine who would be responsible for the costs associated with the special programming, maintenance, and inventory management for such meter. The Staff argued that issue should be fully explored, with the participation of interested parties, prior to the Commission making a definitive finding.

NOW THE COMMISSION, upon consideration of the record and the applicable law, is of the opinion and finds that the regulations attached hereto as Appendix A should be adopted. As described herein, the regulations we adopt contain several modifications to the Proposed Rules contained in our December 23, 2004, Order.

The Commission has incorporated the suggestion to clarify that the 0.1% limit on the total renewable fuel generator capacity in an electric distribution company's service territory applies only to renewable fuel generators that are net metered. The phrase "pursuant to a net metering arrangement" has been added to the definition of renewable fuel generator such that the term means, among other things, an electrical generating facility that is interconnected pursuant to a net metering arrangement governed by these rules and operated in parallel with the electric distribution company's facilities. In addition, the word Virginia has been added to the phrase "customer's electric distribution company's Virginia service territory" to clarify that the 0.1% limitation applies only to the Virginia portion of the electric distribution company's service territory. We also adopt the proposed language indicating that the grounding scheme of the renewable fuel generator shall be consistent with the scheme used by the electric distribution company and that, upon a customer's request, the electric distribution company shall assist a

prospective net metering customer in selecting a proper scheme.

We will not at this time open a new investigation to explore time-of-use issues with respect to net metering. As noted above, this proceeding was initiated to implement a specific legislative change and it is not clear that the elimination of the prohibition on time-of-use net metering is essential to implementing such change. In addition, the CEUR has approved a study by the Virginia Center for Coal and Energy Research at Virginia Tech, which will include recommendations regarding incentives to promote the use of renewable energy and may address the issue of time-of-use net metering. We agree that it may be premature for the Commission to initiate an investigation into substantive modifications of the net metering program prior to the conclusion of such study.

Accordingly, IT IS ORDERED THAT:

- (1) The Regulations Governing Net Energy Metering are hereby adopted as shown in Attachment A to this Order.
- (2) copy of this Order and the Regulations Governing Net Energy Metering shall be delivered forthwith to the Registrar of Regulations for publication in the Virginia Register of Regulations.
- (3) On or before June 15, 2005, all electric utilities in the Commonwealth subject to Chapter 10 (§ 56-232 et seq.) of Title 56 of Code of Virginia shall file with the Commission's Division of Energy Regulation revised tariff provisions necessary to implement the regulations as adopted herein.
- (4) There being nothing further to come before the Commission, this case shall be removed from the docket and the papers filed herein be placed in the file for ended causes.

AN ATTESTED COPY hereof shall be sent by the Clerk of the Commission to: Alden Hathaway, ICF Consulting Group, 9300 Lee Highway, Fairfax, Virginia 22031-1207; Peter Lowenthal, Executive Director, Maryland, District of Columbia Solar Energy Association, 4707 Elmhurst Lane, Bethesda, Maryland 20184-3954; Salud Layton, Esquire, Old Dominion Electric Cooperative, P.O. Box 2340, Glen Allen, Virginia 23058; Michel A. King, President, Old Mill Power Company, 103 Shale Place, Charlottesville, Virginia 22902; Anthony J. Gambardella, Esquire, Woods Rogers P.L.C., 823 East Main Street, Suite 1200, Richmond, Virginia 23219; Karen L. Bell, Esquire, Virginia Electric and Power Company, P.O. Box 26532, Richmond, Virginia 23261; C. Meade Browder, Jr., Senior Assistant Attorney General, Division of Consumer Counsel, Office of Attorney General, 900 East Main Street, 2nd Floor, Richmond, Virginia 23219; and the Commission's Office of General Counsel and Divisions of Public Utility Accounting and Energy Regulation.

20 VAC 5-315-20. Definitions.

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

"Billing period" means, as to a particular customer, the time period between the dates on which the electric distribution

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company or energy service provider, as the case may be, issues the customer's bills.

"Electric distribution company" means the entity that owns and/or operates the distribution facilities delivering electricity to the net metering customer's premises.

"Energy service provider" means the entity providing electric energy to a net metering customer, either as a tariffed, competitive, or default service pursuant to § 56-585 of the Code of Virginia.

"Net metering customer" means a customer owning and operating a renewable fuel generator under a net metering service arrangement.

"Net metering period" means each successive 12-month period beginning with the first meter reading date following the date of final interconnection of the renewable fuel generator with the electric distribution company's facilities.

"Net metering service" means measuring the difference, over the net metering period between electricity supplied to a net metering customer from the electric grid and the electricity generated and fed back to the electric grid by the net metering customer, using a single meter or, as provided in 20 VAC 5-315-70, additional meters.

"Renewable fuel generator" means an electrical generating facility that:

1. Has an alternating current capacity of not more than 10 kilowatts for residential customers and not more than 25 500 kilowatts for nonresidential customers;
2. Uses as its total fuel source solar, wind, or hydro energy;
3. Is owned and operated by the net metering customer and is located on the customer's premises;
4. Is interconnected [*pursuant to a net metering arrangement*] and operated in parallel with the electric distribution company's facilities; and
5. Is intended primarily to offset all or part of the net metering customer's own electricity requirements.

20 VAC 5-315-30. Company notification.

A. The prospective net metering customer shall submit a completed commission-approved notification form [~~as provided in 20 VAC 5-315-90,~~] to the electric distribution company and, if different from the electric distribution company, [to] the energy service provider, *according to the following time limits.*

1. *For a renewable fuel generator with an alternating current capacity of 25 kilowatts or less, the notification form shall be submitted at least 30 days prior to the date the customer intends to interconnect his renewable fuel generator to the electric distribution company's facilities. A—Such net metering customer shall have all equipment necessary to complete the grid interconnection installed prior to such notification. The electric distribution company shall have 30 days from the date of notification to determine whether the requirements contained in 20 VAC 5-315-40 have been met. The date of notification shall be considered to be the*

third day following the mailing of such notification form by the prospective net metering customer.

2. *For a renewable fuel generator with an alternating current capacity greater than 25 kilowatts, the notification form shall be submitted at least 60 days prior to the date the customer intends to interconnect his renewable fuel generator to the electric distribution company's facilities. Such net metering customer shall have all equipment necessary to complete the grid interconnection installed prior to such notification. Such net metering customer should contact his electric distribution company prior to making financial commitments. The electric distribution company shall have 60 days from the date of notification to determine whether the requirements contained in 20 VAC 5-315-40 have been met. The date of notification shall be considered to be the third day following the mailing of such notification form by the prospective net metering customer.*

B. *Thirty-one days after the date of notification for renewable fuel generators with a rated capacity of 25 kilowatts or less, and 61 days after the date of notification for renewable fuel generators with an alternating current capacity greater than 25 kilowatts, a net metering customer may interconnect his renewable fuel generator and begin operation of said renewable fuel generator unless the electric distribution company or the energy service provider requests a waiver of this requirement under the provisions of 20 VAC 5-315-80, prior to said 31st or 61st day, respectively. In cases where the electric distribution company or energy service provider requests a waiver, a copy of the request for waiver must be mailed simultaneously by the requesting party to the net metering customer and to the commission's Division of Energy Regulation.*

C. The electric distribution company shall file with the commission's Division of Energy Regulation a copy of each completed notification form within 30 days of final interconnection.

20 VAC 5-315-40. Conditions of interconnection.

A. A prospective net metering customer may begin operation of his renewable fuel generator on an interconnected basis when:

1. The net metering customer has properly notified both the electric distribution company and energy service provider (in accordance with 20 VAC 5-315-30) of his intent to interconnect;
2. If required by the electric distribution company's net metering tariff, the net metering customer has installed a lockable, electric distribution company accessible, load breaking manual disconnect switch;
3. A licensed electrician has certified, by signing the commission-approved notification form [~~as provided in 20 VAC 5-315-90,~~] that any required manual disconnect switch has been installed properly and that the renewable fuel generator has been installed in accordance with the manufacturer's specifications as well as all applicable provisions of the National Electrical Code;

4. The vendor has certified, by signing the commission-approved notification form [~~as provided in 20 VAC 5-315-90~~], that the renewable fuel generator being installed is in compliance with the requirements established by Underwriters Laboratories or other national testing laboratories in accordance with IEEE Standard 1547, *Standard for Interconnecting Distributed Resources with Electric Power Systems*, July 2003;

5. In the case of static inverter-connected renewable fuel generators with an alternating current capacity in excess of 10 kilowatts, the net metering customer has had the inverter settings inspected by the electric distribution company. The inspecting electric distribution company may impose a fee on the net metering customer of no more than \$50 for such inspection;

6. In the case of nonstatic inverter-connected renewable fuel generators, the net metering customer has interconnected according to the electric distribution company's interconnection guidelines and the electric distribution company has inspected all protective equipment settings. The inspecting electric distribution company may impose a fee on the net metering customer of no more than \$50 for such inspection.

7. *In the case of renewable fuel generators with an alternating current capacity greater than 25 kilowatts, the following requirements shall be met before interconnection may occur:*

a. Electric distribution facilities and customer impact limitations. A renewable fuel generator shall not be permitted to interconnect to distribution facilities if the interconnection would reasonably lead to damage to any of the electric distribution company's facilities or would reasonably lead to voltage regulation or power quality problems at other customer revenue meters due to the incremental effect of the generator on the performance of the electric distribution system, unless the customer reimburses the electric distribution company for its cost to modify any facilities needed to accommodate the interconnection.

b. Secondary, service, and service entrance limitations. The capacity of the renewable fuel generator shall be less than the capacity of the electric distribution company-owned secondary, service, and service entrance cable connected to the point of interconnection, unless the customer reimburses the electric distribution company for its cost to modify any facilities needed to accommodate the interconnection.

c. Transformer loading limitations. The renewable fuel generator shall not have the ability to overload the electric distribution company transformer, or any transformer winding, beyond manufacturer or nameplate ratings, unless the customer reimburses the electric distribution company for its cost to modify any facilities needed to accommodate the interconnection.

d. Integration with electric distribution company facilities grounding. The grounding scheme of the renewable fuel generator shall comply with IEEE 1547, Standard for

Interconnecting Distributed Resources with Electric Power Systems, July 2003, and [shall be consistent with the grounding scheme used by the electric distribution company. If requested by a prospective net metering customer,] the electric distribution company shall assist the [prospective] net metering customer in selecting a grounding scheme that coordinates with its distribution system.

e. Balance limitation. The renewable fuel generator shall not create a voltage imbalance of more than 3.0% at any other customer's revenue meter if the electric distribution company transformer, with the secondary connected to the point of interconnection, is a three-phase transformer, unless the customer reimburses the electric distribution company for its cost to modify any facilities needed to accommodate the interconnection.

B. A prospective net metering customer shall not be allowed to interconnect a renewable fuel generator if doing so will cause the total rated generating alternating current capacity of all interconnected renewable fuel generators within that customer's electric distribution company's [Virginia] service territory to exceed 0.1% of that company's Virginia peak-load forecast for the previous year. In any case where a prospective net metering customer has submitted a notification form required by 20 VAC 5-315-30 and that customer's interconnection would cause the total rated generating alternating current capacity of all interconnected renewable fuel generators within that electric distribution company's service territory to exceed 0.1% of that company's Virginia peak-load forecast for the previous year, the electric distribution company shall, at the time it becomes aware of the fact, send written notification to such prospective net metering customer and to the commission's Division of Energy Regulation that the interconnection is not allowed. In addition, upon request from any customer, the electric distribution company shall provide to the customer the amount of capacity still available for interconnection pursuant to § 56-594 D of the Code of Virginia.

C. Neither the electric distribution company nor the energy service provider shall impose any charges upon a net metering customer for any interconnection requirements specified by this chapter, except as provided under subdivisions A 5 and 6 of this section, and 20 VAC 5-315-50 as related to off-site metering.

20 VAC 5-315-90. Commission-approved interconnection notification form: [Repealed.]

[~~The following commission approved interconnection notification form shall be used as specified in this chapter.~~

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Appendix A

Effective 7/2000-11/2004

INTERCONNECTION NOTIFICATION¹

PURSUANT TO COMMISSION REGULATION 20 VAC 5-315-30, APPLICANT HEREBY GIVES NOTICE OF INTENT TO OPERATE A GENERATING FACILITY.

Section 1. Applicant Information

Name: _____

Mail Address: _____

City: _____ State: _____ Zip Code: _____

Facility Location (if different from above): _____

Daytime Phone Number: _____

Distribution Utility: _____ Account Number: _____

Energy Service Provider (ESP): _____ Account Number: _____

(if different than electric distribution company)

Proposed Interconnection Date: _____

Section 2. Generating Facility Information

Generator Type (check one): Solar _____, Wind _____, Hydro _____

Generator Manufacturer, Model Name & Number: _____

Power Rating in Kilowatts: AC: _____ DC: _____

Inverter Manufacturer, Model Name & Number: _____

Battery Backup? (yes or no) _____

Section 3. Installation Information

Installation Date: _____ Proposed Interconnection Date: _____

~~Section 3. Information for Renewable Fuel Generators with an Alternating Current Capacity in Excess of 25 Kilowatts~~

~~Type (____ inverter, ____ induction, ____ synchronous), frequency ____ Hz,~~

~~number of phases ____ , Capacity: DC power ____ , AC apparent power ____ ,~~

~~AC real power ____ , power factor ____ % , AC voltage ____ , AC amperage ____~~

~~Facility schematic and equipment layout must be attached to this form.~~

Section 4. Certifications Vendor Certification

1. The system hardware is listed by Underwriters Laboratories to be in compliance with UL 1741:

Signed (Vendor): _____ Date: _____

Name (printed): _____ Company: _____

Phone Number: _____

Section 5. Electrician Certification

2. The system has been installed in accordance with the manufacturer's specifications as well as all applicable provisions of the National Electrical Code.

Signed (Licensed Electrician): _____ Date: _____

License Number: _____ Phone Number: _____

Mail Address: _____

City: _____ State: _____ Zip Code: _____

3. Utility signature signifies only receipt of this form, in compliance with the Commission's net energy metering regulations, Regulation 20 VAC 5-315-30.

Signed (Utility Representative): _____ Date: _____

I hereby certify that, to the best of my knowledge, all of the information provided in this Notice Notice is true and correct.

Signature of Applicant _____

⁴ Prospective net metering customers considering installing a renewable fuel generator with a capacity in excess of 25 kilowatts are strongly encouraged to contact his electric distribution company prior to making financial commitments to the project.]

DOCUMENT INCORPORATED BY REFERENCE

1547, IEEE Standard for Interconnecting Distributed Resources with Electric Power Systems, July 2003, The Institute of Electrical and Electronics Engineers, Inc.

NOTICE: The form used in administering 20 VAC 5-315, Regulations Governing Net Energy Metering, is listed and published below.

FORM

Interconnection Notification, Form NMIN, eff. 11/04.

Form NMIN

Effective 11/2004

INTERCONNECTION NOTIFICATION ¹

PURSUANT TO COMMISSION REGULATION 20 VAC 5-315-30, APPLICANT HEREBY GIVES NOTICE OF INTENT TO OPERATE A GENERATING FACILITY.

Section 1. Applicant Information

Name: _____

Mail Address: _____

City: _____ State: _____ Zip Code: _____

Facility Location (if different from above): _____

Daytime Phone Number: _____

Distribution Utility: _____ Account Number : _____

Energy Service Provider (ESP): _____ Account Number : _____

(if different than electric distribution company)

Proposed Interconnection Date: _____

Section 2. Generating Facility Information

Generator Type (check one): Solar _____, Wind _____, Hydro _____

Generator Manufacturer, Model: _____

Power Rating in Kilowatts: AC: _____ DC: _____

Inverter Manufacturer, Model: _____

Battery Backup? (yes or no) _____

Section 3. Information for Renewable Fuel Generators with an Alternating Current Capacity in Excess of 25 Kilowatts

Type _____ inverter, _____ induction, _____ synchronous, Frequency _____ Hz,

Number of phases _____, Capacity: DC power _____, AC apparent power _____,

AC real power _____, power factor _____%, AC voltage _____, AC amperage _____

Facility schematic and equipment layout must be attached to this form.

Section 4. Vendor Certification

The system hardware is listed by Underwriters Laboratories to be in compliance with UL 1741:

Signed (Vendor): _____ Date: _____
Name (printed): _____ Company: _____
Phone Number: _____

Section 5. Electrician Certification

The system has been installed in accordance with the manufacturer's specifications as well as all applicable provisions of the National Electrical Code.

Signed (Licensed Electrician): _____ Date: _____
License Number: _____ Phone Number: _____
Mail Address: _____
City: _____ State: _____ Zip Code: _____

Utility signature signifies only receipt of this form, in compliance with the Commission's net energy metering regulations, Regulation 20 VAC 5-315-30.

Signed (Utility Representative): _____ Date: _____

I hereby certify that, to the best of my knowledge, all of the information provided in this Notice is true and correct.

Signature of Applicant _____

¹ A prospective net metering customer considering installing a renewable fuel generator with a capacity in excess of 25 kilowatts is strongly encouraged to contact the electric distribution company prior to making financial commitments to the project.

TITLE 22. SOCIAL SERVICES

STATE BOARD OF SOCIAL SERVICES

REGISTRAR'S NOTICE: The following regulatory action is exempt from the Administrative Process Act in accordance with (i) § 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, and (ii) § 2.2-4006 A 3 of the Code of Virginia, which excludes regulations that consist only of changes in style or form or corrections of technical errors. The State Board of Social 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 40-90. Regulation for Background Checks for Assisted Living Facilities and Adult Day Care Centers (amending 22 VAC 40-90-10 through 22 VAC 40-90-60; adding 22 VAC 40-90-70).

Statutory Authority: §§ 63.2-1702, 63.2-1720 and 63.2-1721 of the Code of Virginia.

Effective Date: July 1, 2005.

Agency Contact: Wenda Singer, Program Consultant, Department of Social Services, 7 North 8th Street, Richmond, VA 23219, telephone (804) 726-7148, FAX (804) 726-7132 or e-mail wenda.singer@dss.virginia.gov.

Summary:

The amendments require applicants for approval as a licensed assisted living facility to provide background checks per provisions in the Code of Virginia. The action amends the regulation to use the terms "background checks" and "sworn statement or affirmation" as these terms appear in the 2002 recodification of Title 63.2 of the Code of Virginia. The action also adds Code of Virginia provisions that the commissioner provide a copy of the sworn statement or affirmation or the criminal history record report if the applicant is denied licensure because of information in either of these documents. Finally, the amendments add Code of Virginia provisions about further dissemination of the background checks information and the commissioner's responsibility to not issue a license to an assisted living facility if an applicant for licensure has an offense as defined in § 63.2-1719 of the Code of Virginia.

CHAPTER 90.

REGULATION FOR CRIMINAL RECORDS BACKGROUND CHECKS FOR ASSISTED LIVING FACILITIES AND ADULT DAY CARE CENTERS.

22 VAC 40-90-10. Definitions.

The following words and terms when used in conjunction with this chapter shall have the following meanings:

"Applicant" means the person or persons applying for approval as a licensed assisted living facility. An application may be an

association, partnership, or limited liability company or corporation.

"Barrier crimes" means certain crimes that automatically bar individuals convicted of same from employment at a licensed assisted living facility or adult day care center. These crimes, as specified by § 63.2-1719 of the Code of Virginia, are murder or manslaughter as set out in Article 1 (§ 18.2-30 et seq.) of Chapter 4 of Title 18.2; malicious wounding by mob as set out in § 18.2-41; abduction as set out in subsection A of § 18.2-47; abduction for immoral purposes as set out in § 18.2-48; assaults and bodily woundings as set out in Article 4 (§ 18.2-51 et seq.) of Chapter 4 of Title 18.2; robbery as set out in § 18.2-58; carjacking as set out in § 18.2-58.1; threats of death or bodily injury as set out in § 18.2-60; felony stalking as set out in § 18.2-60.3; sexual assault as set out in Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2; arson as set out in Article 1 (§ 18.2-77 et seq.) of Chapter 5 of Title 18.2; drive-by shooting as set out in § 18.2-286.1; use of a machine gun in a crime of violence as set out in § 18.2-289; aggressive use of a machine gun as set out in § 18.2-290; use of a sawed-off shotgun in a crime of violence as set out in subsection A of § 18.2-300; pandering as set out in § 18.2-355; crimes against nature involving children as set out in § 18.2-361; incest as set out in § 18.2-366; taking indecent liberties with children as set out in § 18.2-370 or § 18.2-370.1; abuse and neglect of children as set out in § 18.2-371.1; failure to secure medical attention for an injured child as set out in § 18.2-314; obscenity offenses as set out in § 18.2-374.1; possession of child pornography as set out in § 18.2-374.1.1; electronic facilitation of pornography as set out in § 18.2-374.3; abuse and neglect of incapacitated adults as set out in § 18.2-369; employing or permitting a minor to assist in an act constituting an offense under Article 5 (§ 18.2-372 et seq.) of Chapter 8 of Title 18.2 as set out in § 18.2-379; delivery of drugs to prisoners as set out in § 18.2-474.1; escape from jail as set out in § 18.2-477; felonies by prisoners as set out in § 53.1-203; or an equivalent offense in another state. Applicants for employment convicted of one misdemeanor barrier crime not involving abuse or neglect or moral turpitude may be hired provided five years has elapsed since the conviction.

"Central Criminal Records Exchange" means the information system containing conviction data of those crimes committed in Virginia, maintained by the Department of State Police, through which the criminal history record request form is processed.

"Criminal history record request" means the Department of State Police form used to authorize the State Police to generate a criminal history record report on an individual.

"Criminal history record report" means either the criminal record clearance or the criminal history record issued by the Central Criminal Records Exchange, Department of State Police. The criminal record clearance provides conviction data only related to barrier crimes; the criminal history record discloses all known conviction data.

"Employee" means compensated personnel working at a facility regardless of role, service, age, function or duration of employment at the facility. Employee also includes those

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individuals hired through a contract to provide services for the facility.

"Facility" means an assisted living facility or adult day care center subject to licensure by the Department of Social Services.

"Sworn ~~disclosure~~ statement or affirmation" means a document to be completed, signed, and submitted for licensure or employment. The document discloses the licensure applicant's or employment applicant's criminal convictions and pending criminal charges that occurred within or outside the Commonwealth of Virginia. This is required as specified in § 63.2-1720 of the Code of Virginia

22 VAC 40-90-20. Legal base and applicability.

A. Sections 63.2-1702 and 63.2-1721 of the Code of Virginia require all applicants for licensure as assisted living facilities to undergo background checks consisting of a sworn statement or affirmation and criminal history record check.

~~A. B.~~ Section 63.2-1720 of the Code of Virginia requires all employees of assisted living facilities and adult day care centers, as defined by § 63.2-100 of the Code of Virginia, to obtain a criminal *history* record report from the Department of State Police.

~~B. C.~~ Section 63.2-1720 of the Code of Virginia requires all applicants of assisted living facilities and adult day care centers to provide the hiring facility with a sworn disclosure statement.

~~C. D.~~ No volunteer shall be permitted to serve in a licensed assisted living facility or licensed adult day care center without the permission or under the supervision of a person who has received a clearance pursuant to § 63.2-1720 of the Code of Virginia.

PART II.

THE SWORN ~~DISCLOSURE~~ STATEMENT OR AFFIRMATION.

22 VAC 40-90-30. Sworn ~~disclosure~~ statement or affirmation.

A. The applicant for licensure shall complete a sworn statement or affirmation upon application for licensure as an assisted living facility.

~~A. B.~~ The sworn ~~disclosure~~ statement or affirmation shall be completed for all applicants *for employment*. (NOTE: A model form is available from the department upon request.)

~~B. C.~~ Any person making a false statement on the sworn ~~disclosure~~ statement or affirmation shall be guilty of a Class 1 misdemeanor.

~~C. D.~~ The sworn ~~disclosure~~ statement or affirmation shall be attached and filed with the criminal *history* record report.

E. The commissioner shall provide a copy of the sworn statement or affirmation to any applicant denied licensure as an assisted living facility because of information on the sworn statement or affirmation.

F. Further dissemination of the sworn statement or affirmation information is prohibited other than to the commissioner's

representative or a federal or state authority or court as may be required to comply with an express requirement of law for such further dissemination.

PART III.

THE CRIMINAL *HISTORY* RECORD REPORT.

22 VAC 40-90-40. General requirements.

A. The applicant for licensure shall submit a criminal history record report upon application for licensure as an assisted living facility.

~~A. B.~~ The criminal *history* record report shall be obtained on or prior to the 30th day of employment for each employee.

~~B. C.~~ Any person required by this chapter to obtain a criminal *history* record report shall be ineligible for employment if the report contains convictions of the barrier crimes.

~~C. D.~~ If a criminal history record report is requested, it shall be the responsibility of the licensee to ensure that the employee has not been convicted of any of the barrier crimes.

~~D. E.~~ Criminal *history* record reports shall be kept confidential. Reports on employees shall only be received by the facility administrator, licensee, board president, or their designee.

~~E. F.~~ A criminal *history* record report issued by the State Police shall not be accepted by the facility if the report is dated more than 90 days prior to the date of employment.

~~F. G.~~ Any applicant denied *licensure as an assisted living facility or employment at an assisted living facility or adult day care center* because of convictions appearing on his criminal *history* record report shall be provided a copy of the report by the hiring facility.

22 VAC 40-90-50. Validity of criminal *history* record reports.

A. Facility staff shall accept only the original criminal *history* record report. Photocopies will not be acceptable.

EXCEPTION: Facilities using temporary agencies for the provision of substitute staff shall request a letter from the agency containing the following information:

1. The name of the substitute staff person;

2. The date of employment; and

3. A statement verifying that the criminal *history* record report has been obtained within 30 days of employment, is on file at the temporary agency, and does not contain barrier crimes.

This letter shall have the same maintenance and retention requirements of a criminal *history* record report.

B. Each criminal *history* record report shall be verified by the operator of the facility by matching the name, social security number and date of birth to establish that all information pertaining to the individual cleared through the Central Criminal Records Exchange is exactly the same as another form of identification such as a driver's license. If any of the information does not match, a new criminal history record request must be submitted to the Central Criminal Records Exchange with correct information.

C. A criminal *history* record report remains valid as long as the employee remains in continuous service at the same facility.

D. When an individual terminates employment at one facility and begins work at another facility, the criminal *history* record report secured for the prior facility shall not be valid for the new facility. A new criminal *history* record report and sworn ~~disclosure~~ statement or affirmation shall be required.

EXCEPTIONS:

1. When an employee transfers to a facility owned and operated by the same entity, with a lapse in service of not more than 30 days, a new criminal *history* record report shall not be required. The file at the previous facility shall contain a statement in the record of the former employee indicating that the original criminal *history* record report has been transferred or forwarded to the new location.

2. A criminal *history* record report for an individual who takes a leave of absence will remain valid as long as the period of separation does not exceed six consecutive months. Once a period of six consecutive months has expired, a new criminal *history* record report and sworn ~~disclosure~~ statement or affirmation are required.

22 VAC 40-90-60. Maintenance of criminal *history* record reports.

A. The original report shall be maintained at the facility where the person is employed.

B. Criminal *history* record reports conforming to the requirements for all employed staff shall be maintained in the files of the facility during the time the individual is employed and for one year after termination of work.

EXCEPTION: See 22 VAC 40-90-50 D 1.

C. Criminal *history* record reports shall be made available by the facility to the licensing representative.

D. When an employee is rotated among several facilities owned or operated by the same entity, the original criminal *history* record report shall be maintained at the primary place of work or designated facility location. A copy of the criminal *history* record report shall be on file at the facility where the employee is actively working which has a notation of where the original report is filed.

E. Criminal *history* record reports shall be maintained in locked files accessible only to the licensee, administrator, board president, or their designee.

F. Further dissemination of the criminal *history* record report and ~~sworn disclosure statement~~ information is prohibited other than to the commissioner's representative or a federal or state authority or court as may be required to comply with an express requirement of law for such further dissemination.

22 VAC 40-90-70. Issuance of a license.

The commissioner shall not issue a license to an assisted living facility if an applicant for licensure required to have a background check has any offense as defined in § 63.2-1719 of the Code of Virginia.

VA.R. Doc. No. R05-178; Filed April 26, 2005, 1:22 p.m.

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 State Board of Social 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 40-191. Background Checks for Child Welfare Agencies (amending 22 VAC 40-191-40, 22 VAC 40-191-50 and 22 VAC 40-191-90).

Statutory Authority: §§ 63.2-901.1, 63.2-1704, 63.2-1721 and 63.2-1724 of the Code of Virginia.

Effective Date: July 1, 2005.

Agency Contact: Wenda Singer, Program Consultant, Department of Social Services, 7 North 8th Street, Richmond, VA 23219, telephone (804) 726-7148, FAX (804) 726-7132 or e-mail wenda.singer@dss.virginia.gov.

Summary:

The amendments remove the applicability of certain provisions to religious exempt child day centers because these centers are not licensed, registered, or approved per provisions in the Code of Virginia. The action requires child-placing agencies to consider the results of background checks on a birth parent prior to placing the birth parent's child, who is in a foster care placement, with the birth parent per § 63.2-901.1 of the Code of Virginia.

The amendments add prospective foster parents to an already existing provision allowing, but not requiring, approval of adoptive parents convicted of assault or assault and battery under certain conditions, per action of the 2005 General Assembly. It further amends this provision by adding that the conviction may not have involved a minor. This provision's applicability to both prospective foster and adoptive parents is consistent with provisions of Chapter 653 of the 2005 Acts of Assembly, requiring that home study components be the same for foster and adoptive homes per § 63.2-906 of the Code of Virginia.

22 VAC 40-191-40. Identifying who is covered by this regulation.

A. This regulation applies to:

1. Licensed family day homes;
2. Licensed family day systems;
3. Family day homes approved by family day systems;
4. Licensed child-placing agencies;
5. Licensed independent foster homes;
6. Foster and adoptive homes approved by child-placing agencies;
7. Voluntarily registered family day homes; and
8. Religious exempt child day centers.

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B. Background checks are required at the time of initial application.

1. These background checks are required at the time of application for licensure, registration, or approval:

Who	What	When
Any applicant	Sworn statement or affirmation, search of central registry, and criminal history record check	Upon application for licensure or registration as a child welfare agency
Any agent at the time of application who is or will be involved in the day-to-day operations of the child welfare agency or who is or will be alone with, in control of, or supervising one or more of the children	Same	Same
Any other adult living in the home of an applicant for licensure or registration as a family day home, or any existing employee or volunteer	Same	Upon application for licensure or registration as a family day home
Prospective foster or adoptive parent	Same	Upon request for approval by child-placing agency
Operator of family day home requesting approval by family day system	Same	Upon request for approval by family day system
Any other adult residing in the family day home requesting approval and any employee or volunteer of a family day home	Same	Upon request by operator for approval by family day system

Specific information related to persons aged 14 to 18 is found in subdivisions C 4 and 5 of this section.

2. These background checks are required at the time of initial application for religious exemption status:

Who	What	When
Any person who will be expected to be alone with one or more children enrolled in a religious exempt child day center except a parent-volunteer, as defined in this regulation, or a parent or guardian who may be left alone with his or her own child	Documentary evidence of sworn statement or affirmation, search of the central registry, and criminal history record check	With the written request for religious exemption status

3. *These background checks are required prior to the placement of a child who is in a foster care placement with the child's birth parent.*

Who	What	When
<i>Birth parent of a child in a foster care placement</i>	<i>Sworn statement or affirmation, search of central registry, and criminal history record check</i>	<i>Prior to placement of a child in foster care with the child's birth parent</i>

C. Background checks are required after the initial licensure, registration, approval, or receipt of religious exemption status.

1. These background checks are required after initial licensure, registration, or approval:

Who	What	When
New person designated as applicant, licensee, registrant, approved individual, or agent who is or will be involved in the day-to-day operations of the facility or who is or will be alone with, in control of, or supervising one or more of the children	Sworn statement or affirmation	Whenever an applicant, licensee, approved individual, or registrant changes
	Search of central registry and criminal history record check	Before the end of 30 days after the change
Any employee of a licensed, registered, and approved facility who is involved in the day-to-day operations or who is alone with, in control of, or	Sworn statement or affirmation	Prior to first day of employment at the facility
	Search of central registry and criminal history record check	Before 30 days of employment at the facility ends

supervising one or more children		
Any applicant, licensee, approved individual, agent, employee, volunteer, and person living in the home who is required to have background checks	Sworn statement or affirmation, search of central registry and criminal history record check	Before three years since the dates of the last sworn statement or affirmation, most recent central registry finding and most recent criminal history record check report
Voluntary registration provider, provider assistant, substitute provider, if any, and any adult residing in the home	Sworn statement or affirmation, search of central registry and criminal history record check	90 days before the date of application for renewal of the current certificate of registration (The application for renewal must be received by the contracting organization no later than 45 days before the expiration of the current certificate of registration.)
Volunteer at licensed, registered, or approved facility who will be alone with any child in the performance of duties, excluding a parent-volunteer for children attending a licensed, registered, or approved program	Sworn statement or affirmation	Prior to first day of service at the facility
	Search of central registry and criminal history record check	Before 30 days of service at the facility elapses
Foster parent or other adult member of the household	Search of central registry	If child-placing agency staff believe it is necessary

A person whose most recent background checks were before 1990 must request new checks by the end of December 2004. A person whose most recent background checks were from 1991 through 1995 must request new checks by the end of December 2005. A person whose most recent background checks were from 1996 to the present must request new checks by the end of December 2006, or before five years since the dates of the last sworn statement or affirmation, most recent central registry finding and most recent criminal history record check report, whichever is the shorter period of time.

A person whose most recent background checks were before 1990 must request new checks by the end of December 2004. A person whose most recent background checks were from 1991 through 1995 must request new checks by the end of December 2005. A person whose most recent background checks were from 1996 to the present must request new checks by the end of December 2006, or before five years since the dates of the last sworn statement or affirmation, most recent central registry finding and most recent criminal history record check report, whichever is the shorter period of time.

2. These background checks are required after receipt of the initial religious exemption status letter.

Annually, prior to the expiration date in the current exemption letter, the religious exempt child day center must file with the department documentary evidence that the center is in compliance with the following:

Who	What	When
Prospective employee, volunteer, or any other person who is expected to be alone with one or more children enrolled in the religious exempt child day center except a parent-volunteer, or a parent or guardian who may be left alone with his or her own child	Sworn statement or affirmation	Before employment or commencement of service at the facility
	Search of central registry and criminal history record clearance check, as requested by the individual	Within 30 days of employment or commencement of service
Employee, volunteer, or any other person who is expected to be alone with one or more children enrolled in the religious exempt child day center except a parent-volunteer, or a parent or guardian who may be left alone with his or her	Sworn statement or affirmation, search of central registry and criminal history record check	Before three years since the dates of the last sworn statement or affirmation, most recent central registry finding and most recent criminal history record check report

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~~A person whose most recent background checks were before 1990 must request new checks by the end of December 2004. A person whose most recent background checks were from 1991 through 1995 must request new checks by the end of December 2005. A person whose most recent background checks were from 1996 to the present must request new checks by the end of December 2006, or before five years since the dates of the last sworn statement or affirmation, most recent central registry finding and most recent criminal history record check report, whichever is the shorter period of time.~~

3. Background checks are required for independent contract employees and employees hired by a contract agency.

If a licensed, registered, or approved facility uses independent contract employees or contract employees hired by a contract agency who will be involved in the day-to-day operations of the facility or who will be alone with, in control of, or supervising one or more children, the facility must:

- a. Obtain background checks according to the above requirements for employees, or view the original required background checks maintained by the contract employee or contract agency;
- b. Accept all satisfactory background checks dated less than six months before independent contract employees or contract employees hired by contract agencies begin providing services at facilities;
- c. Make copies, and keep them at the licensed, registered, or approved facilities. Staff must write on the copies of the criminal record reports that they are photocopies of originals that facility staff verified; and
- d. Provide a sworn statement or affirmation, search of central registry and criminal history record check before three years since the dates of the last sworn statement or affirmation, most recent central registry finding and most recent criminal history record check report.

4. A person 18 years of age and older must have background checks:

Who	What	When
Person living in: The home of an applicant*, The home of a licensed or registered family day home provider, A foster home approved by a licensed child-placing agency, An independent foster home, or An adoptive home approved by a licensed child-placing agency, until the adoption is final	Sworn statement or affirmation	When person age 18 years or older begins residing in the home or when a person in the home becomes 18 years old
	Search of central registry and criminal history record check, as requested by the individual	Within 30 days of an 18-year-old beginning to reside in the home or a person in the home becoming 18 years old
* Note: This does not apply to applicants for family day systems, licensed child-placing agencies, and religious exempt child day centers.		

5. A person 14 years of age and older must have a search of the central registry and make the information available for regulatory purposes:

Who	What	When
Person living in: An applicant's home, Home of a licensed or registered family day home provider, A foster home approved by a licensed child-placing agency, An independent foster home, or An adoptive home approved by a	Child protective services central registry check	Within 30 days of a 14-year-old beginning to reside in the home or a person in the home becoming 14 years old

licensed child-placing agency, until the adoption is final		
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Exception: A person 14 years of age to 18 years of age who is placed in a foster home by a child-placing agency is not required to have a search of the central registry.

6. A facility must not accept a required criminal history record report or a central registry finding from an applicant, licensee, registrant, or other person required to obtain background checks that is dated more than 90 days prior to the date of employment, volunteering, residing in the home, or approving a family day home or foster or adoptive home.

Exception: See provisions for contracting agencies at subdivision C 3 of this section.

7. The department must not accept a required criminal history record report or a central registry finding from an applicant, licensee, registrant, or person who signs the statement of intent to operate a religious exempt center that is dated more than 90 days prior to date of licensure, registration, approval or exemption, or from the date when the person designated as the applicant or licensee changes.

8. The background checks remain valid at the facility if no more than 12 consecutive months have passed from when a person (i) began a leave of absence from that facility; (ii) was terminated from employment at that facility; or (iii) was transferred to a facility owned and operated by the same employer or entity, unless there is a criminal conviction or a founded complaint of child abuse and neglect during that period.

22 VAC 40-191-50. Explaining requirements for satisfactory background checks.

A. The department and registering and approving authorities must require documentation of satisfactory background checks for applicants, agents, employees, volunteers, and others living in family day homes as specified in 22 VAC 40-191-40.

1. A satisfactory sworn statement or affirmation is:
 - a. A fully completed original that states that the person:
 - (1) Does not have a criminal conviction that is a barrier crime or is any felony conviction within the last five years; and
 - (2) Is not the subject of a founded complaint of child abuse or neglect within or outside the Commonwealth; and
 - b. When there is no other knowledge that the individual has an unsatisfactory background.

Criminal convictions include prior adult convictions and juvenile convictions or adjudications of delinquency based on a crime that would be a felony if committed by an adult within or outside the Commonwealth. Convictions also include convictions in other states that are equivalent to those specified in this section.

2. A satisfactory central registry finding is one in which:
 - a. A copy of the department's child protective services check form is returned to the requesting agency or state or local Department of Social Services indicating that, as of the date on the reply, the individual whose name was searched is not identified in the Central Registry of Founded Child Abuse/Neglect Investigations as an involved caregiver with a founded disposition of child abuse/neglect; and
 - b. There is no other knowledge that the individual has a founded disposition in Virginia or elsewhere.
3. A satisfactory criminal history record check report is one in which:
 - a. An original hard copy or Internet inquiry reply from the Department of State Police is returned to the agency, individual or authorized agent making the request with:
 - (1) No convictions indicated; or
 - (2) Convictions indicated, but no barrier crimes or other felony convictions in the last five years; and
 - b. There is no other knowledge that the individual has a barrier crime, or other felony conviction in the past five years, in Virginia or elsewhere.

The facility must have viewed an original criminal history record report maintained by a contract employee or contract agency that is dated less than six months before the independent contract employee or contract employee is hired by a contract agency begins providing services at the facility. (See also 22 VAC 40-191-90.)

4. A child-placing agency may approve as an adoptive or foster parent an applicant convicted of not more than one misdemeanor of assault and battery, as defined in § 18.2-57 of the Code of Virginia, not involving abuse, neglect or moral turpitude, or a minor, provided 10 years have elapsed following the conviction.
5. A child-placing agency may approve as a foster parent an applicant convicted of statutory burglary for breaking and entering a dwelling home or other structure with intent to commit larceny who has had his civil rights restored by the Governor, provided 25 years have elapsed following the conviction.
6. A child-placing agency must consider the results of background checks on a birth parent to placing the child of the birth parent with the birth parent, when the child is in a foster care placement.

- B. Background checks results are not open ended.
1. When a minor living in a family day home turns 18, the operator is responsible for making sure that the 18-year-old complies with all background check requirements for adults. (22 VAC 40-191-40 C 4)
 2. Operators must submit new background checks as part of the renewal application packages of registered family day homes. With the exception of those facilities that are exempt per § 63.2-1716 of the Code of Virginia, background checks are required every three years for all other persons

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required to have background checks. (See 22 VAC 40-191-40 C.)

3. If a person leaves a facility and the criminal history record report or central registry check finding is less than 91 days old, the person must be permitted to take the report or reports with him. The facility must keep a copy of any report a person takes and write on it that it is a copy, and that the original of any criminal history record report was verified.

4. Unless there is a criminal conviction or a founded complaint of child abuse and neglect during that period, a background check remains valid at a facility if no more than 12 consecutive months have passed from when a person:

- a. Began a leave of absence from that facility;
- b. Was terminated from employment at that facility; or
- c. Was transferred to a center owned and operated by the same employer or entity.

5. The facility, department, or registering or approving authority may require a new background check relevant to this suspicion if there is reason to suspect that a person who has submitted acceptable background checks, as required by this regulation, has:

- a. A barrier crime conviction in Virginia or elsewhere;
- b. A felony conviction that is not for a barrier crime within the last five years in Virginia or elsewhere; or
- c. A founded complaint of child abuse and neglect in Virginia or elsewhere.

6. When the facility, department, or registering or approving authority chooses to require a new background check:

- a. The facility, department, or registering or approving authority may allow the person to continue the same relationship with the child welfare agency until the child care provider or licensing, registering, or approval authority receives the new Virginia background check information or equivalent documentation from another state; or
- b. If there is reason to suspect that a person has a barrier crime conviction, a felony conviction in the last five years, or has a founded complaint of child abuse and neglect, the facility, department, or registering or approving authority may require that the person not be alone with children, even if the documentation is not Virginia background check information or equivalent information from another state.

C. *With the exception of those facilities that are exempt per § 63.2-1716 of the Code of Virginia*, waivers of some criminal convictions are possible. Refer to 22 VAC 40-191-90 through 22 VAC 40-191-130 for an explanation of the waiver.

22 VAC 40-191-90. Identifying who may apply for a waiver.

A. Any person who wants to operate or to volunteer or work at a facility covered by this regulation, *with the exception of those facilities that are exempt per § 63.2-1716 of the Code of Virginia*, but who is disqualified because of a criminal

conviction, or a criminal conviction in the background check of any other adult living in a family day home governed by this regulation, may apply in writing to the commissioner of the department for a waiver.

The requirements found in 22 VAC 40-191-100 through 22 VAC 40-191-150 also apply to licensed child day care centers.

B. A person may apply for a waiver if:

1. A nonbarrier crime felony conviction occurred less than five years previously; or
2. Any other adult living in the home of a family day home applicant or provider has been convicted of not more than one misdemeanor offense of assault and battery or assault and battery against a family or household member. (See §§ 18.2-57 and > 18.2-57.2 of the Code of Virginia.) The other adult must not be an assistant or substitute provider. See 22 VAC 40-191-50 A for an exception that applies to prospective adoptive parents.

C. Except as provided in 22 VAC 40-191-50 A, no person guilty of a barrier crime may operate or volunteer or work at a licensed child care center or facility governed by this regulation.

VA.R. Doc. No. R05-179; Filed April 26, 2005, 1:23 p.m.



GENERAL NOTICES/ERRATA

DEPARTMENT OF ENVIRONMENTAL QUALITY

Total Maximum Daily Loads (TMDLs) for Mill Creek in Shenandoah County

The Department of Environmental Quality (DEQ) and the Department of Conservation and Recreation seek written and oral comments from interested persons on the development of total maximum daily loads (TMDLs) for Mill Creek in Shenandoah County. Mill Creek was listed on the 2004 303(d) TMDL Priority List and Report as impaired due to violations of the state's general standard (benthic) for aquatic life, the state's water quality standard for temperature, and the state's water quality standard for bacteria. These impairments extend from the headwaters to the confluence with the North Fork Shenandoah River for a total of 19.78 miles.

Section 303(d) of the Clean Water Act and § 62.1-44.19:7 C of the Code of Virginia require DEQ to develop TMDLs for pollutants responsible for each impaired water contained in Virginia's 303(d) TMDL Priority List and Report.

The first public meeting on the development of the benthic TMDL for Mill Creek will be held on Wednesday, May 18, 2005, 7 p.m. at the St. Andrews Episcopal Church, 5890 Main Street, Mt. Jackson, Virginia.

The public comment period for the first public meeting will end on June 19, 2005. Written comments should include the name, address, and telephone number of the person submitting the comments and should be sent to Robert Brent, Department of Environmental Quality, 4411 Early Road, P.O. Box 3000, Harrisonburg, VA 22801, telephone (540) 574-7848, FAX (540) 574-7878, or e-mail mbrent@deq.virginia.gov.

Total Maximum Daily Loads (TMDLs) for the North Fork Shenandoah River in Rockingham and Shenandoah Counties and Stony Creek in Shenandoah County

The Department of Environmental Quality (DEQ) and the Department of Conservation and Recreation seek written and oral comments from interested persons on the development of total maximum daily loads (TMDLs) for the North Fork Shenandoah River in Rockingham and Shenandoah Counties and Stony Creek in Shenandoah County. The North Fork Shenandoah River was listed on the 2004 303(d) TMDL Priority List and Report as impaired due to violations of the state's water quality standard for bacteria. This impairment extends from the confluence with Turley Creek to the confluence with Pugh's Run for a total of 52.97 miles. Stony Creek was also listed on the 2004 303(d) TMDL Priority List and Report as impaired due to violations of the state's water quality standard for bacteria. This impairment includes a 6.48-mile segment of stream between the Foltz Creek confluence and the Little Stony Creek confluence and a 5.65-mile segment from the George's Chicken discharge to the confluence with the North Fork Shenandoah River.

Section 303(d) of the Clean Water Act and § 62.1-44.19:7 C of the Code of Virginia require DEQ to develop TMDLs for pollutants responsible for each impaired water contained in Virginia's 303(d) TMDL Priority List and Report.

The first public meeting on the development of these TMDLs will be held on Wednesday, May 25, 2005, 7 p.m. at the Edinburg Town Hall, Town Hall Drive, Edinburg, Virginia.

The public comment period for the first public meeting will end on June 26, 2005. Written comments should include the name, address, and telephone number of the person submitting the comments and should be sent to Robert Brent, Department of Environmental Quality, 4411 Early Road, P.O. Box 3000, Harrisonburg, VA 22801, telephone (540) 574-7848, FAX (540) 574-7878, or e-mail mbrent@deq.virginia.gov.

Total Maximum Daily Load (TMDL) for Stroubles Creek Watershed

A TMDL study was completed and approved for the benthic impairment in Stroubles Creek watershed in January 2004. The Virginia Department of Environmental Quality (DEQ) and the Virginia Department of Conservation and Recreation (DCR) intend to facilitate development of a TMDL implementation plan (IP) for the Stroubles Creek watershed in Montgomery County and the Town of Blacksburg. A public meeting on the project will be held for interested stakeholders on June 1st in the Blacksburg Town Council Chambers of the Municipal Building, 300 South Main Street from 7 p.m. to 9 pm. The purpose of the meeting is to initiate the implementation planning process. The goal of the IP is to identify and quantify corrective actions (i.e., BMPs) necessary to obtain the nonpoint source load allocations for the various sources identified in the TMDL study. IPs must include, not only corrective actions, but also measurable goals based on monitoring or implementation milestones, an implementation schedule, cost/benefit analysis, a monitoring plan, and a target date for achieving compliance with water quality standards.

While there is no current requirement under the federal Clean Water Act that TMDL implementation plans be prepared, there is a state requirement based on the 1997 Virginia Water Quality Monitoring, Information and Restoration Act. DCR has provided funding and support to date for the development of five implementation plans that address bacteria and benthic impairments for 18 stream segments, with three additional implementation plans in the initial start-up stage. DEQ also provides funding and support for implementation plan development, including this one for Stroubles Creek.

The implementation planning process is expected to take 9 to 12 months and will be overseen by a steering committee consisting of agencies, organizations, and citizens. During this meeting, interested persons will be encouraged to participate in working groups focused on agriculture, residential/urban, and government issues. Such working groups will help to insure that the information used in the IP is accurate and that the IP reflects the concerns/issues of the

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watershed stakeholders. Additional public participation and input will be possible through additional public meetings.

The public comment period for this phase of the TMDL development will end on July 1, 2005. Questions or information requests should be addressed to Jason Hill. Written comments should include the name, address, and telephone number of the person submitting the comments and should be sent to Jason Hill, Department of Environmental Quality, 3019 Peters Creek Road, Roanoke, VA 24019, telephone (540) 562-6724, FAX (540) 562-6860, or e-mail jrhill@deq.virginia.gov.

DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

Notice of Intent to Modify Supplemental Payments for Inpatient and Outpatient Services for Public Hospitals, Nursing Facilities and Clinics

Notice is hereby given that the Department of Medical Assistance Services (DMAS) intends to modify its supplemental payments for inpatient and outpatient services to state-owned hospitals and clinics, and to local government-owned hospitals, clinics, and nursing facilities, 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 § 1396a(a)(13). DMAS intends to modify supplemental payments for inpatient services provided by local government-owned hospitals and nursing facilities and outpatient services provided by local government-owned clinics. DMAS intends to eliminate supplemental payments for inpatient services provided by state hospitals and outpatient services provided by state hospitals and clinics, and local government-owned hospitals. Instead of supplemental payments for inpatient services for local government-owned hospitals and nursing facilities, DMAS will draw down federal funds for unreimbursed Medicaid costs as certified by the provider through cost reports. The methodology for supplemental payments for outpatient services for local government-owned clinics will be modified such that each community services board with outpatient services will be paid part of the supplemental payment proportional to its own services. The methodology for determining the gross supplemental payment will remain unchanged.

A copy of this notice is available for public review from Scott Crawford, Director, Provider Reimbursement Division, DMAS, 600 Broad Street, Suite 1300, Richmond, VA 23219, and this notice is available for public review on the Regulatory Town Hall (www.townhall.com). Comments or inquiries may be submitted, in writing, within 30 days of this notice publication to Mr. Crawford and such comments are available for review at the same address.

STATE WATER CONTROL BOARD

Proposed Consent Special Order for Broad Street Ramz LLC, c/o Zamagias Properties

Citizens may comment on a proposed consent order for a site in Richmond, Virginia.

Public Comment Period: May 16, 2005, to June 15, 2005.

Purpose of Notice: To invite the public to comment on a proposed consent order.

A consent order is issued to a business owner or other responsible party to perform specific actions that will bring the entity into compliance with the relevant law and regulations. It is developed cooperatively with the facility and entered into by mutual agreement.

Project Description: The State Water Control Board proposes to issue a consent order to Broad Street Ramz LLC, c/o Zamagias Properties, to address violations of the Underground Storage Tank Regulations (9 VAC 25-580). The location of the facility where the violation occurred is 933 West Broad Street in Richmond, Virginia. The consent order resolves the failure to provide a site characterization report and other tank closure documents for the site. The order requires the payment of a civil charge.

How a Decision is Made: After public comments have been considered, the State Water Control Board will make a final decision.

How to Comment: DEQ accepts comments from the public by e-mail, fax or postal mail. All comments must include the name, address and telephone number of the person commenting and be received by DEQ within the comment period.

To Review the Consent Order: The public may review the proposed consent order at the DEQ Piedmont Regional Office every work day by appointment or on the DEQ website at www.deq.virginia.gov.

Contact for Public Comments, Document Requests and Additional Information: Vernon Williams, Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, VA 23060, telephone (804) 527-50863, FAX (804) 527-5106, or e-mail vcwilliams@deq.virginia.gov.

Proposed Consent Special Order for Eastern Shore Brokers & Packers, Inc.

Citizens may comment on a proposed consent order for a facility in Accomack County, Virginia.

Public Comment Period: May 16, 2005, to June 15, 2005.

Purpose of Notice: To invite the public to comment on a proposed consent order.

A consent order is issued to a business owner or other responsible party to perform specific actions that will bring the entity into compliance with the relevant law and regulations. It

is developed cooperatively with the facility and entered into by mutual agreement.

Project Description: The State Water Control Board proposes to issue a consent order to Eastern Shore Brokers & Packers, Inc. to address violations of the Virginia Pollution Abatement Permit of the Virginia State Water Control Law. The location of the facility where the violation occurred is 15141 Finney Mason Road, Mapps ville, Virginia. The consent order describes a settlement to resolve deficiencies of permit application and compliance. It requires that the deficiencies be corrected and payment of a civil charge.

How a Decision is made: After public comments have been considered, the State Water Control Board will make a final decision.

How to Comment: DEQ accepts comments from the public by e-mail, fax or postal mail. All comments must include the name, address and telephone number of the person commenting and be received by DEQ within the comment period.

To Review the Consent Order: The public may review the proposed consent order at the DEQ Tidewater Regional Office every work day by appointment or on the DEQ website at www.deq.virginia.gov.

Contact for Public Comments, Document Requests and Additional Information: John M. Brandt, Department of Environmental Quality, Tidewater Regional Office, 5636 Southern Boulevard, Virginia Beach, VA 23462, telephone (757) 518-2010, FAX (757) 518-2003, or e-mail jmbrandt@deq.virginia.gov.

Proposed Consent Special Order for Eastern Shore Seafood Products, Inc.

Citizens may comment on a proposed consent order for a facility in Accomack County, Virginia.

Public Comment Period: May 16, 2005, to June 15, 2005.

Purpose of Notice: To invite the public to comment on a proposed consent order.

A consent order is issued to a business owner or other responsible party to perform specific actions that will bring the entity into compliance with the relevant law and regulations. It is developed cooperatively with the facility and entered into by mutual agreement.

Project Description: The State Water Control Board proposes to issue a consent order to Eastern Shore Seafood Products, Inc. to address violations of the Virginia Pollution Abatement Permit of the Virginia State Water Control Law. The location of the facility where the violation occurred is 13249 Lankford Highway, Mapps ville, Virginia. The consent order describes a settlement to resolve an unpermitted discharge. It requires that the facility comply with the permit and payment of a civil charge.

How a Decision is Made: After public comments have been considered, the State Water Control Board will make a final decision.

How to Comment: DEQ accepts comments from the public by e-mail, fax or postal mail. All comments must include the name, address and telephone number of the person commenting and be received by DEQ within the comment period.

To Review the Consent Order: The public may review the proposed consent order at the DEQ Tidewater Regional Office every work day by appointment or on the DEQ website at www.deq.virginia.gov.

Contact for Public Comments, Document requests and Additional Information: Caroline M. Huertas, Department of Environmental Quality, Tidewater Regional Office, 5636 Southern Boulevard, Virginia Beach, VA 23462, telephone (757) 518-2107, FAX (757) 518-2003, or e-mail cmhuertas@deq.virginia.gov.

Proposed Consent Special Order for Oil Transport, Incorporated

Citizens may comment on a proposed consent order for a corporation in Chesapeake, Virginia.

Public Comment Period: May 16, 2005, to June 15, 2005.

Purpose of Notice: To invite the public to comment on a proposed consent order.

A consent order is issued to a business owner or other responsible party to perform specific actions that will bring the entity into compliance with the relevant law and regulations. It is developed cooperatively with the business owner and entered into by mutual agreement.

Project Description: The State Water Control Board proposes to issue a consent order to Oil Transport, Incorporated to address violations of §§ 62.1-44.34:18 and 62.1-44.34:19 of Article 11 of the State Water Control Law. The location of the facility where the violation occurred is 735 Southpark Boulevard, Colonial Heights, Virginia. The consent order describes a settlement to resolve an accidental release of petroleum while filling the underground storage tanks at Sam's Club East on November 25, 2003. The order requires payment of an \$887 civil charge.

How a Decision is Made: After public comments have been considered, the State Water Control Board will make a final decision.

How to Comment: DEQ accepts comments from the public by e-mail, fax or postal mail. All comments must include the name, address and telephone number of the person commenting and be received by DEQ within the comment period.

To Review the Consent Order: The public may review the proposed consent order at the DEQ Piedmont Regional Office every work day by appointment or on the DEQ website at www.deq.virginia.gov.

Contact for Public Comments, Document Requests and Additional Information: Scott Kennedy, Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox

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Road, Glen Allen, VA 23060, telephone (804) 527-5014, FAX (804) 527-5106, or e-mail sdkenney@deq.virginia.gov.

Proposed Consent Special Order for Omega Protein, Inc.

Citizens may comment on a proposed consent order for a facility in Reedville, Virginia.

Public Comment Period: May 16, 2005, to June 15, 2005.

Purpose of Notice: To invite the public to comment on a proposed consent order.

A consent order is issued to a business owner or other responsible party to perform specific actions that will bring the entity into compliance with the relevant law and regulations. It is developed cooperatively with the facility and entered into by mutual agreement.

Project Description: The State Water Control Board proposes to issue a consent order to Omega Protein, Inc. to address violations of its VPDES Permit No. VA0003867. The location of the facility where the violation occurred is the end of Virginia State Highway 659 in Reedville, Virginia. The consent order describes a settlement to resolve wastewater permit discharge violations that occurred at the facility from May through September 2004. The order requires wastewater treatment system modifications and payment of a civil charge.

How a Decision is Made: After public comments have been considered, the State Water Control Board will make a final decision.

How to Comment: DEQ accepts comments from the public by e-mail, fax or postal mail. All comments must include the name, address and telephone number of the person commenting and be received by DEQ within the comment period.

To Review the Consent Order: The public may review the proposed consent order at the DEQ Piedmont Regional Office every work day by appointment or on the DEQ website at www.deq.virginia.gov.

Contact for Public Comments, Document Requests and Additional Information: Frank Lupini, Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, VA 23060, telephone (804) 527-5093, FAX (804) 527-5106, or e-mail felupini@deq.virginia.gov.

Proposed Consent Special Order for Royster Clark, Incorporated

Citizens may comment on a proposed consent order for a facility in West Point, Virginia.

Public Comment Period: May 16, 2005, to June 15, 2005.

Purpose of Notice: To invite the public to comment on a proposed consent order.

A consent order is issued to a business owner or other responsible party to perform specific actions that will bring the entity into compliance with the relevant law and regulations. It

is developed cooperatively with the facility and entered into by mutual agreement.

Project Description: The State Water Control Board proposes to issue a consent order to Royster Clark, Incorporated to address violations of its VPA Permit No. VPA 01418. The location of the facility where the violation occurred is 270 Pamunkey Avenue, West Point, Virginia. The consent order resolves the failure to maintain the groundwater remediation system at the facility. The order requires Royster Clark to provide public drinking water to adjacent property owners with private wells and to pay a civil charge.

How a Decision is Made: After public comments have been considered, the State Water Control Board will make a final decision.

How to Comment: DEQ accepts comments from the public by e-mail, fax or postal mail. All comments must include the name, address and telephone number of the person commenting and be received by DEQ within the comment period.

To Review the Consent Order: The public may review the proposed consent order at the DEQ Piedmont Regional Office every work day by appointment or on the DEQ website at www.deq.virginia.gov.

Contact for Public Comments, Document Requests and Additional Information: Frank Lupini, Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, VA 23060, telephone (804) 527-5093, FAX (804) 527-5106, or e-mail felupini@deq.virginia.gov.

Proposed Consent Special Order for S. B. Cox Ready Mix, Inc.

Citizens may comment on a proposed consent order for three facilities in Goochland County, Henrico County, and Powhatan County, Virginia.

Public Comment Period: May 16, 2005, to June 15, 2005.

Purpose of notice: To invite the public to comment on a proposed consent order.

A consent order is issued to a business owner or other responsible party to perform specific actions that will bring the entity into compliance with the relevant law and regulations. It is developed cooperatively with the facility and entered into by mutual agreement.

Project Description: The State Water Control Board proposes to issue a consent order to S.B. Cox Ready Mix, Inc. to address violations of § 62.1-44.5 of the State Water Control Law and Virginia Code 9 VAC 25-32-30 and 9 VAC 25-193-60. The location of the facilities where the violations occurred are Route 250 west of Little Tuckahoe Creek in Goochland County, 1601 Portugee Road in Henrico County, and 1920 Anderson Highway, Powhatan County Virginia. The consent order describes a settlement to resolve wastewater permit discharge violations that occurred at the facilities from May 2003 through June 2004. The order requires changes to the facilities operation, mitigation of stream impacts at the Portugee Road facility, and payment of a civil charge.

How a Decision is Made: After public comments have been considered, the State Water Control Board will make a final decision.

How to Comment: DEQ accepts comments from the public by e-mail, fax or postal mail. All comments must include the name, address and telephone number of the person commenting and be received by DEQ within the comment period.

To Review the Consent Order: The public may review the proposed consent order at the DEQ Piedmont Regional Office every work day by appointment or on the DEQ website at www.deq.virginia.gov.

Contact for Public Comments, Document Requests and Additional Information: Frank Lupini, Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, VA 23060, telephone (804) 527-5093, FAX (804) 527-5106, or e-mail felupini@deq.virginia.gov.

Proposed Consent Special Order for Virginia Electric and Power Company

Citizens may comment on a proposed consent order for a facility in Chesterfield, Virginia.

Public Comment Period: May 16, 2005, to June 15, 2005.

Purpose of Notice: To invite the public to comment on a proposed consent order.

A consent order is issued to a business owner or other responsible party to perform specific actions that will bring the entity into compliance with the relevant law and regulations. It is developed cooperatively with the facility and entered into by mutual agreement.

Project Description: The State Water Control Board proposes to issue a consent order to Virginia Electric and Power Company to address violations of its VPDES Permit No. VA0004146. The location of the facility where the violation occurred is state Route 615 at the end of Coxendale Road in Chester, Virginia. The consent order resolves an unauthorized discharge of fly ash that occurred at the facility in January 2005. The order requires a stream remediation plan for the effected area of Farrar Gut and the James River and payment of a civil charge.

How a Decision is Made: After public comments have been considered, the State Water Control Board will make a final decision.

How to Comment: DEQ accepts comments from the public by e-mail, fax or postal mail. All comments must include the name, address and telephone number of the person commenting and be received by DEQ within the comment period.

To Review the Consent Order: The public may review the proposed consent order at the DEQ Piedmont Regional Office every work day by appointment or on the DEQ website at www.deq.virginia.gov.

Contact for Public Comments, Document Requests and Additional Information: Frank Lupini, Department of

Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, VA 23060, telephone (804) 527-5093, FAX (804) 527-5106, or e-mail felupini@deq.virginia.gov.

Total Maximum Daily Load (TMDL) for Lewis Creek Watershed Benthic Impairment: Russell County, Virginia

Notice is hereby given that the State Water Control 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 a modification of the total maximum daily load (TMDL) waste load allocation contained in the report Lewis Creek Watershed TMDL for Benthic Impairment: Russell County, Virginia. The TMDL modification pertained only to the wasteload allocation and did not affect the load allocation. Public notice for the TMDL modification was provided concurrent with the public notice for permit modification. The public comment process provided the affected stakeholders an opportunity for public appeal of the TMDL modification. EPA approved the TMDL modification presented under this public notice. The approval can be found at <http://www.deq.state.va.us/tmdl>.

DEQ staff intends to recommend (i) that the board approve the TMDL modification, and (ii) that the board adopt the modified TMDL waste load allocation 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 amendment of the state's Water Quality Management Planning regulation for the following river basin: Tennessee-Big Sandy River Basin (9 VAC 25-720-90 A). The TMDL report and specific TMDL affected by the proposed board action is listed below:

In the Tennessee-Big Sandy River Basin (9 VAC 25-720-90):

"Lewis Creek Watershed TMDL for Benthic Impairment: Russell County, Virginia"

Lewis Creek benthic TMDL modification, located in Russell County, proposes increased sediment loading in the wasteload allocation for the Town of Honaker STP discharge and in the total maximum daily load.

Public Participation: The board is seeking comments on the intended amendment to the Water Quality Management Regulation and approval of the TMDL modification. 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 June 15, 2005.

Contact: Additional information is available on the Department of Environmental Quality website at

General Notices/Errata

<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.

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

<http://www.deq.virginia.gov/tmdl/www.deq.virginia.gov/tmdl/pn/wlamodification1>.

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

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 April 27, 2005, and April 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.

Final Rules for Game Operation:

Director's Order Number Twenty-Six (05)

Virginia's Instant Game Lottery 668; "Set For Life" (effective 4/26/05)

Director's Order Number Twenty-Eight (05)

Virginia's Instant Game Lottery 280; "Fun 1's" (effective 4/21/05)

Director's Order Number Twenty-Nine (05)

Virginia's Instant Game Lottery 644; "Beat the Dealer" (effective 4/21/05)

Director's Order Number Thirty (05)

Virginia's Instant Game Lottery 647; "\$500,000 Bonus Bucks" (effective 4/21/05)

Director's Order Number Thirty One (05)

Virginia's Instant Game Lottery 327; "Bingo Times Ten" (effective 4/21/05)

Director's Order Number Thirty Two (05)

Virginia's Instant Game Lottery 639; "Money Money Money" (effective 4/21/05)

Director's Order Number Thirty Three (05)

Virginia's Instant Game Lottery 645; "20 Grand Doubler" (effective 4/21/05)

Director's Order Number Thirty Four (05)

Virginia's Ninth Online Game Lottery; "Mega Millions" (effective 4/21/05)

End of Games:

Director's Order Number Thirty-Five (05)

Certain Virginia Instant Game Lotteries; End of Games.

In accordance with the authority granted by §§ 2.2-4002 B (15) and 58.1-4006 A of the Code of Virginia, I hereby give

notice that the following Virginia Lottery instant games will officially end at midnight on May 6, 2005:

Game 257	Ace of Spades
Game 262	Hot Hand
Game 266	On a Roll
Game 273	Winter Double Doubler
Game 531	Millionaire Party II
Game 577	Gold Card
Game 579	Super Monopoly
Game 589	Crown Jewels
Game 592	Friday Night Poker
Game 598	Hit Me
Game 603	24 Karat Cash
Game 615	Rag Top Riches

The last day for lottery retailers to return for credit unsold tickets from any of these games will be June 3, 2005. The last day to redeem winning tickets for any of these games will be November 2, 2005, 180 days from the declared official end of the game. Claims for winning tickets from any of these games will not be accepted after that date. Claims that are mailed and received in an envelope bearing a postmark of the United States Postal Service or another sovereign nation of November 2, 2005, will be deemed to have been received on time. This notice amplifies and conforms to the duly adopted State Lottery Board regulations for the conduct of lottery games.

This order is available for inspection and copying during normal business hours at the Virginia Lottery headquarters, 900 East Main Street, Richmond, Virginia; and at any Virginia Lottery regional office. A copy may be requested by mail by writing to: Director's Office, Virginia Lottery, 900 East Main Street, Richmond, Virginia 23219.

This Director's Order becomes effective on the date of its signing and shall remain in full force and effect unless amended or rescinded by further Director's Order.

/s/ Frank S. Ferguson
General Counsel
April 13, 2005

/s/ Penelope W. Kyle
Executive Director
April 21, 2005

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

CALENDAR OF EVENTS

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 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

† June 3, 2005 - 10 a.m. -- Open Meeting

June 29, 2005 - 10 a.m. -- Open Meeting

† July 26, 2005 - 10 a.m. -- Open Meeting

† August 4, 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.

COMMONWEALTH COUNCIL ON AGING

† May 19, 2005 - 9 a.m. -- Open Meeting

Virginia Department for the Aging, 1610 Forest Avenue, Suite 100, Richmond, Virginia.♿ (Interpreter for the deaf provided upon request)

A regular business meeting of the Planning and Development Committee. Public comments are welcome.

Contact: Marsha Mucha, Department for the Aging, 1610 Forest Ave., Suite 100, Richmond, VA 23229, telephone (804) 662-9312.

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

Virginia Small Grains Board


† July 20, 2005 - 8 a.m. -- Open Meeting

DoubleTree Hotel Richmond Airport, 5501 Eubank Road, Richmond, Virginia.♿

A meeting to review FY 2004-2005 project reports and receive and approve the 2005-2006 project proposals. Minutes from the last board meeting and a current financial statement will be heard and will be subject to approval. Additionally, action will be taken on any other new business that comes before the group. 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 Philip T. Hickman at least five days before the meeting date so that suitable arrangements can be made.


Contact: Philip T. Hickman, Program Director, Department of Agriculture and Consumer Services, 1100 Bank St., Room 1005, Richmond, VA 23219, telephone (804) 371-6157, FAX (804) 371-7786, e-mail butch.nottingham@vdacs.virginia.gov.

STATE AIR POLLUTION CONTROL BOARD

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 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.

May 25, 2005 - 2 p.m. -- Open Meeting
Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia. 

A public meeting to receive comments on a Notice of Intent to adopt a VPDES general watershed permit for total nitrogen and total phosphorus discharges and nutrient trading in the Chesapeake Bay Watershed in Virginia. The Notice of Intent will be published in the Virginia Register of Regulations on May 2, 2005.


Contact: Allan Brockenbrough, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4147, FAX (804) 698-4032, e-mail abrockenbrough@deq.virginia.gov.

June 22, 2005 - 9:30 a.m. -- Open Meeting
Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia. 


A regular board meeting.

Contact: Cindy Berndt, Regulatory Coordinator, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4378, FAX (804) 698-4346, e-mail cmberndt@deq.virginia.gov.


ALCOHOLIC BEVERAGE CONTROL BOARD

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
August 1, 2005 - 9 a.m. -- Open Meeting
† August 15, 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.


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.


BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS, CERTIFIED INTERIOR DESIGNERS AND LANDSCAPE ARCHITECTS

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.

Calendar of Events


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.

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.

ART AND ARCHITECTURAL REVIEW BOARD


June 3, 2005 - 10 a.m. -- Open Meeting
July 8, 2005 - 10 a.m. -- Open Meeting
† August 5, 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. 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.


VIRGINIA COMMISSION FOR THE ARTS

June 7, 2005 - 9 a.m. -- Open Meeting
Libertytown Arts Workshop, 916 Liberty Street,
Fredericksburg, Virginia. 


The final meeting of the fiscal year. Meeting is scheduled to end on June 8.


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.

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.

May 19, 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: David Dick, Executive Director, Virginia Board for Asbestos, Lead, and Home Inspectors, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8595, FAX (804) 367-2475, (804) 367-9753/TTY , e-mail asbestos@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 McGaughey, 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.

AUCTIONEERS BOARD

† **May 24, 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: Marian H. Brooks, Regulatory Board Administrator,
Auctioneers Board, 3600 W. Broad St., Richmond, VA 23230,
telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-
9753/TTY , e-mail auctioneers@dpor.virginia.gov.


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.

BOARD FOR BARBERS AND COSMETOLOGY

June 2, 2005 - 9 a.m. -- Open Meeting
† **June 9, 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, Executive 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.

† **August 15, 2005 - 9 a.m.** -- Open Meeting
Department of Professional and Occupational Regulation,
3600 West Broad Street, 4th Floor, Conference Room 4W,
Richmond, Virginia. 


A meeting to discuss general business, including
consideration of regulations issues as presented. A portion
of the meeting may be held in closed session. A public
comment period will be held at the beginning of the
meeting. 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 Barbers and Cosmetology, 3600 W. Broad St., Richmond,
VA 23230-4917, telephone (804) 367-8590, FAX (804) 367-


6295, (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.

CEMETERY BOARD


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.

† **June 23, 2005 - 2 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, (804) 367-9753/TTY , e-mail
reboard@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.

Calendar of Events

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@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.

* * * * *


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.

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.

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.


CHESAPEAKE BAY LOCAL ASSISTANCE BOARD

† **June 20, 2005 - 10 a.m.** -- Open Meeting
Fredericksburg City Council Chambers, 715 Princess Anne Street, Fredericksburg, Virginia.

A regular business meeting and review of local programs.

Contact: David C. Dowling, Policy, Planning, and Budget Director, Department of Conservation and Recreation, 203 Governor St., Suite 302 Richmond, VA 23219, telephone (804) 786-2291, FAX (804) 786-6141, e-mail david.dowling@dcr.virginia.gov.


STATE CHILD FATALITY REVIEW TEAM

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.

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


May 25, 2005 - 11 a.m. -- Open Meeting
830 East Main Street, 2nd Floor Conference Room, 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.

DEPARTMENT OF CONSERVATION AND RECREATION

† **June 6, 2005 - 7 p.m.** -- Public Hearing
James City County Council Building, 101 C Mounts Bay Road,
Building C, Meeting Room, Williamsburg, Virginia. 

† **June 8, 2005 - 7 p.m.** -- Public Hearing
Roanoke City Council Chambers, Noel C. Taylor Municipal
Building, 215 Church Avenue Southwest, Roanoke, Virginia. 

† **June 9, 2005 - 7 p.m.** -- Public Hearing
Fredericksburg City Council Chambers, 715 Princess Anne
Street, Fredericksburg, Virginia. 

† **June 13, 2005 - 7 p.m.** -- Public Hearing
Harrisonburg City Council Chambers, City Municipal Building,
345 South Main Street, Harrisonburg, Virginia. 

July 1, 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 Conservation and Recreation intends to amend regulations entitled **4 VAC 5-15, Nutrient Management Training and Certification Regulations**. The purpose of the proposed action is to amend the Nutrient Management and Training Certification Regulations and their attendant forms including the criteria for nutrient management plan content and development procedures in order to bring the regulations and attendant documents into compliance as may be necessary with § 62.1-44.17:1.1 of the Code of Virginia and in the requirements set forth in 40 CFR Parts 9, 122, 123 and 412 as published in the Federal Register Volume 62, No. 29, dated February 12, 2003, or as may otherwise be necessary to protect water quality.

Statutory Authority: § 10.1-104.2 of the Code of Virginia.

Contact: David C. Dowling, Policy and Planning Manager, Department of Conservation and Recreation, 203 Governor St., Suite 302, Richmond, VA 23219, telephone (804) 786-2291, FAX (804) 786-6141, e-mail david.dowling@dcr.virginia.gov.

Chippokes Plantation Farm Foundation Board

† **May 24, 2005 - 10 a.m.** -- Open Meeting
Chippokes State Park, Chippokes Mansion, Conference Room, Surry, Virginia.

A regular business meeting.

Contact: Katherine Wright, Business Manager, Department of Conservation and Recreation, 101 N. 14th St., 11th Floor, Richmond, VA 23219, telephone (804) 786-7950, FAX (804) 786-6141, e-mail david.dowling@dcr.virginia.gov.

Board of Conservation and Recreation

† **June 2, 2005 - 10 a.m.** -- Open Meeting
Buckingham County Courthouse, Conference Room, Buckingham, Virginia.

A regular business meeting.

Contact: David C. Dowling, Policy, Planning, and Budget Director, Department of Conservation and Recreation, 203 Governor St., Suite 302, Richmond, VA 23219, telephone (804) 786-2291, FAX (804) 786-6141, e-mail david.dowling@dcr.virginia.gov.

Virginia Land Conservation Foundation Board

† **June 7, 2005 - 10 a.m.** -- Open Meeting
Dorey Recreation Center, 7200 Darbytown Road, Richmond, Virginia.

A regular business meeting.

Contact: David C. Dowling, Policy, Planning, and Budget Director, Department of Conservation and Recreation, 203 Governor St., Suite 302, Richmond, VA 23219, telephone (804) 786-2291, FAX (804) 786-6141, e-mail david.dowling@dcr.virginia.gov.


Virginia Scenic River Board

† **June 28, 2005 - 10 a.m.** -- Open Meeting
Virginia Department of Forestry, Charlottesville, Virginia.

A regular business meeting to discuss river issues.

Contact: David C. Dowling, Policy, Planning, and Budget Director, Department of Conservation and Recreation, 203 Governor St., Suite 302, Richmond, VA 23219, telephone (804) 786-2291, FAX (804) 786-6141, e-mail david.dowling@dcr.virginia.gov.


Virginia Soil and Water Conservation Board

† **May 19, 2005 - 9:30 a.m.** -- Open Meeting
Virginia Department of Forestry, Charlottesville, Virginia. 
(Interpreter for the deaf provided upon request)


A regular business meeting.

Contact: David C. Dowling, Policy, Planning, and Budget Director, Department of Conservation and Recreation, 203 Governor St., Suite 302, Richmond, VA 23219, telephone (804) 786-2291, FAX (804) 786-6141, e-mail david.dowling@dcr.virginia.gov.

BOARD FOR CONTRACTORS

May 17, 2005 - 9 a.m. -- Open Meeting
May 19, 2005 - 9 a.m. -- Open Meeting
† **May 25, 2005 - 1:30 p.m.** -- Open Meeting
June 2, 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.


Calendar of Events

May 25, 2005 - 10 a.m. -- Open Meeting

† August 10, 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.

June 7, 2005 - 9 a.m. -- Open Meeting

July 19, 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. 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.

BOARD OF CORRECTIONS

May 17, 2005 - 10 a.m. -- Open Meeting

July 19, 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.

May 17, 2005 - 1 p.m. -- Open Meeting

July 19, 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.

May 18, 2005 - 9:30 a.m. -- Open Meeting

July 20, 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.

May 18, 2005 - 10 a.m. -- Open Meeting

July 20, 2005 - 10 a.m. -- Open Meeting

Department of Corrections, 6900 Atmore Drive, 3rd Floor Board Room, Richmond, Virginia. 

A regular meeting.


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.

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.

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.

CRIMINAL JUSTICE SERVICES BOARD

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.

June 9, 2005 - 11 a.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia.


A general business meeting.

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

† **August 3, 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 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 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.


† **May 20, 2005 - 1 p.m.** -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia. 


A meeting of the Regulatory/Legislative Committee to discuss and draft emergency regulations. 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.


† **June 3, 2005 - 8 a.m.** -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia. 

A meeting of the Sanction Study Committee to discuss the sanction study information as it relates to the Board of Dentistry.


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.

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

May 19, 2005 - 11 a.m. -- Open Meeting
June 16, 2005 - 11 a.m. -- Open Meeting
July 21, 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

† **May 23, 2005 - 9 p.m.** -- Open Meeting
Comfort Inn, Danville, Virginia.

A meeting of the Search Committee to focus on recruitment 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.

May 24, 2005 - 7:30 a.m. -- Open Meeting
Institute for Advanced Learning and Research, Danville, Virginia.

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,

Calendar of Events

Richmond, VA 23218, telephone (804) 371-8108, FAX (804) 371-8112, e-mail kellett@yesvirginia.org.

May 24, 2005 - 9 a.m. -- Open Meeting
Institute for Advanced Learning and Research, Danville, Virginia.

A meeting of the Board of Directors to discuss 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

† **May 24, 2005 - 10 a.m.** -- Open Meeting
James Monroe Building, 101 North 14th Street, 23rd Floor, Richmond, Virginia.

A meeting of the Charter School Application Review Committee to review the charter school application from the Blue Hills Foundation for the Loudoun Science Academy.


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.

May 25, 2005 - 9 a.m. -- Open Meeting
June 22, 2005 - 9 a.m. -- Open Meeting
July 27, 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.

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, Department 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.

July 21, 2005 - 8:45 a.m. -- Open Meeting
July 22, 2005 - 8:45 a.m. -- Open Meeting
Richmond Holiday Inn at the Koger Center, Midlothian Turnpike, Richmond, Virginia.


A meeting of the State Special Education Advisory Committee. Agenda to be announced.

Contact: Dr. Margaret N. Roberts, Office of Policy and Communications, Department 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.


LOCAL EMERGENCY PLANNING COMMITTEE - WINCHESTER

† **June 1, 2005 - 3 p.m.** -- Open Meeting
Timbrook Public Safety Center, 231 East Piccadilly Street, Winchester, Virginia.

A regular meeting.


Contact: L.A. Miller, Fire and Rescue Chief, Winchester Fire and Rescue Department, 231 E. Piccadilly St., Winchester, VA 22601, telephone (540) 662-2298, FAX (540) 542-1318, (540) 662-4131/TTY .

DEPARTMENT OF ENVIRONMENTAL QUALITY

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.

May 17, 2005 - 7 p.m. -- Open Meeting
Ware Memorial Building, Main and Church Streets, Madison, Virginia. 

The third and final public meeting on the development of bacteria TMDLs for impaired segments of the Robinson River and Little Dark Run watersheds located in Madison County. The notice appeared in the Virginia Register of

Regulations on May 2, 2005. The comment period begins on May 17, 2005, and closes on June 15, 2005.

Contact: Kimberly Davis, Department of Environmental Quality, 13901 Crown Court Woodbridge, VA 23901, telephone (703) 583-3937, FAX (703) 583-3841, e-mail kvdavis@deq.virginia.gov.

† May 18, 2005 - 7 p.m. -- Open Meeting
St. Andrews Episcopal Church, 5890 Main Street, Mt. Jackson, Virginia 


The first public meeting on the development of the benthic TMDL for Mill Creek located in Shenandoah County. The public notice appears in the Virginia Register of Regulations on May 16, 2005. The public comment period begins on May 16 and ends on June 19, 2005.

Contact: Robert Brent, Department of Environmental Quality, 4411 Early Rd., Harrisonburg, VA 22801, telephone (540) 574-7848, FAX (540) 574-7878, e-mail rbrent@deq.virginia.gov.

May 18, 2005 - 7 p.m. -- Open Meeting
Unionville Elementary School, 10285 Zachary Taylor Highway, Unionville, Virginia 


The third and final public meeting on the development of bacteria TMDLs for Mountain Run and Mine Run watersheds located in Orange County. The public notice appeared in the Virginia Register of Regulations on May 2, 2005. The comment period runs from May 18, 2005, through June 16, 2005.

Contact: Kimberly Davis, Department of Environmental Quality, 13901 Crown Court Woodbridge, VA 22193, telephone (703) 583-3937, FAX (703) 583-3841, e-mail kvdavis@deq.virginia.gov.

May 19, 2005 - 7 p.m. -- Open Meeting
Bedford Welcome Center, U.S. Route 460 and U.S. Route 22, Bedford, Virginia 

The first public meeting on the development of the implementation plan for the Sheep Creek, Elk Creek, Machine Creek, Little Otter River, and Lower Big Otter River located in Bedford and Campbell Counties. The notice appeared in the Virginia Register of Regulations on May 2, 2005. The public comment period begins on May 19, 2005, and ends on June 19, 2005.


Contact: Theresa Carter, Department of Environmental Quality, 252 West Main Street, Suite 3, Abingdon, VA 24210, telephone (276) 676-5418, FAX (276) 676-5527, e-mail theresa.carter@dcr.virginia.gov.

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.

May 24, 2005 - 7 p.m. -- Open Meeting
Prospect Heights Middle School, 300 Macon Road, Orange, Virginia 


The third and final public meeting on the development of bacteria TMDLs for impaired segments in Goldmine Creek, Beaver Creek, Mountain Run, Pamunkey Creek, Terrys Run and Plentiful Creek Watersheds located in Louisa, Orange and Spotsylvania counties. The public notice appeared in the Virginia Register of Regulations on May 2, 2005. The comment period begins on May 24, 2005, and closes on June 23, 2005.

Contact: Kimberly Davis, Department of Environmental Quality, 13901 Crown Court, Woodbridge, VA 23901, telephone (703) 583-3937, FAX (703) 583-3841, e-mail kvdavis@deq.virginia.gov.

† May 25, 2005 - 7 p.m. -- Open Meeting
Edinburg Town Hall, Town Hall Drive, Edinburg, Virginia 

The first public meeting on the development of bacteria TMDLs for the North Fork Shenandoah River in Rockingham and Shenandoah counties and Stony Creek in Shenandoah County. The public notice appears in the Virginia Register on May 16, 2005. The public comment period begins on May 24 and ends on June 26, 2005.

Contact: Robert Brent, Department of Environmental Quality, 4411 Early Rd., Harrisonburg, VA 22801, telephone (540) 574-7848, FAX (540) 574-7878, e-mail rbrent@deq.virginia.gov.

† June 1, 2005 - 7 p.m. -- Open Meeting
Blacksburg Town Council Chambers, 300 South Main Street, Blacksburg, Virginia 

A meeting to initiate the implementation planning process for Stroubles Creek in Montgomery County and the Town of Blacksburg. The public notice appears in the Virginia Register of Regulations on May 16, 2005. The comment period ends on July 1, 2005.

Contact: Jason Hill, Department of Environmental Quality, 3019 Peters Creek Rd., Roanoke, VA 24019, telephone (540) 562-6724, FAX (540) 562-6860, e-mail jrhill@deq.virginia.gov.

BOARD OF FUNERAL DIRECTORS AND EMBALMERS

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.

Calendar of Events

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.

BOARD OF GAME AND INLAND FISHERIES

† **June 23, 2005 - 9 a.m.** -- Open Meeting
Department of Game and Inland Fisheries, 4000 West Broad Street, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting to review and approve fiscal year 2005-2006 operating and capital budgets for the Department of Game and Inland Fisheries. The board will receive staff's recommendations for webless migratory game bird and September Canada goose seasons and bag limits; solicit and hear comments from the public in a public hearing, at which time any interested citizen present shall be heard; and adopt 2005-2006 seasons and bag limits for those species based on frameworks provided by the U.S. Fish and Wildlife Service. The board intends to consider for final adoption regulation amendments proposed on March 24, 2005, that would (i) legalize the use of a crossbow by any person in all hunting seasons in which archery equipment may be used, 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 establish the fees for such special crossbow license; and (ii) change 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, an amendment that would not change the language of the regulation section establishing the fees. A public comment period on the proposed regulation amendments opened March 24 and will close June 23, 2005. To ensure the board has adequate opportunity to review written comments, however, comments should be received by the Department of Game and Inland Fisheries no later than June 18, 2004. At the June 23, 2005, meeting, the board will solicit comments from the public in a public hearing, at which time any interested citizen present shall be heard; receive staff's recommendations regarding final adoption of amendments; and then determine whether the amendments proposed on March 24 will be adopted as final regulations. The board reserves the right to adopt final amendments that may be more liberal than, or more stringent than, the regulations currently in effect or the regulation amendments proposed at the March 24, 2005, meeting, as necessary for the proper management of wildlife resources. The board may also discuss general and administrative issues, hold a closed session at some time during the meeting, and elect to hold a dinner Wednesday evening, June 22, or after the meeting on Thursday, June 23, at a location and time to be determined.

Contact: Phil Smith, Policy Analyst, Department of Game and Inland Fisheries, 4016 W. Broad St., Richmond VA 23230, telephone (804) 367-1000, FAX (804) 367-0488, e-mail regcomments@dgif.virginia.gov.

BOARD FOR GEOLOGY

July 27, 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.

DEPARTMENT OF HEALTH

May 17, 2005 - 10 a.m. -- Open Meeting
4200 Innslake Drive, Glen Allen, Virginia. ♿

A meeting of the AIDS Drug Assistance Program (ADAP) Advisory Committee to discuss changes to the ADAP formulary and general issues relating to the administration of this program.

Contact: Faye Bates, RN, ADAP Coordinator, Department of Health, 109 Governor St., Richmond, VA 23219, telephone (804) 864-8019, e-mail faye.bates@vdh.virginia.gov.

May 20, 2005 - 8:30 a.m. -- Open Meeting
Sheraton Park South, 9901 Midlothian Turnpike, Richmond, Virginia. ♿

A routine planning meeting of the Virginia HIV Prevention Community Planning Committee.

Contact: Elaine Martin, Department of Health, 109 Governor St., Richmond, VA 23219, telephone (804) 864-7962, e-mail elaine.martin@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.

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.

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 23230-4917, telephone (804) 367-8590, FAX (804) 367-6295, (804) 367-9753/TTY ☎, e-mail hearingaidspec@dpor.virginia.gov.

VIRGINIA HOUSING DEVELOPMENT AUTHORITY

May 17, 2005 - 11 a.m. -- Open Meeting

Virginia Housing Development Authority, 601 South Belvidere Street, Richmond, Virginia ☎

A regular meeting of the Board of Commissioners to (i) review and, if appropriate, approve the minutes from the prior meeting; (ii) consider for approval and ratification mortgage loan commitments under its various programs; (iii) review the authority's operations for the prior months; and (iv) consider such other matters and take such other actions as they may deem appropriate. Various committees of the Board of Commissioners, including the Programs Committee, the Audit/Operations Committee, the Executive Committee, and the Committee of the Whole, may also meet during the day before and after the regular meeting and may consider matters within their purview. The committees and the board may also meet during meals on the night before the regular meeting and on the day of the regular meeting. The planned agenda of the meeting will be available at the offices of the authority one week prior to the date of the meeting.

Contact: J. Judson McKellar, Jr., General Counsel, Virginia Housing Development Authority, 601 South Belvidere St., Richmond, VA 23220, telephone (804) 343-5540, FAX (804) 783-6701, toll-free (800) 968-7837, (804) 783-6705/TTY ☎

VIRGINIA INFORMATION TECHNOLOGIES AGENCY

E-911 Wireless Service Board

July 13, 2005 - 9 a.m. -- Open Meeting

110 South 7th Street, 1st Floor, Telecommunications Conference Room, Suite 100, Richmond, Virginia.

A subcommittee meeting. 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.

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.

JAMESTOWN-YORKTOWN FOUNDATION

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.

June 8, 2005 - Noon -- Open Meeting

† August 3, 2005 - 2 p.m. -- 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.

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.,

Calendar of Events

Richmond, VA 23219, telephone (804) 786-2382, FAX (804) 786-8418, (804) 786-2376/TTY ☎, e-mail bgd@doli.virginia.gov.

Safety and Health Codes Board

May 24, 2005 - 10 a.m. -- Open Meeting
State Corporation Commission, Tyler Building, 1300 East Main Street, Courtroom B, 2nd Floor, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

The Safety and Health Codes Board will consider the following: (i) proposed Regulation Governing Financial Responsibility of Boiler and Pressure Vessel Contract Fee Inspectors; (ii) Methylenedianiline in Construction, §1926.60; Final Rule; Correction; and (iii) Standards Improvement Project - Phase II; Final Rule.

Contact: Regina P. Cobb, Agency Management Analyst Senior, Department of Labor and Industry, Powers-Taylor Bldg., 13 S. 13th St., Richmond, VA 23219, telephone (804) 786-0610, FAX (804) 786-8418, (804) 786-2376/TTY ☎, e-mail rlc@doli.virginia.gov.

STATE LIBRARY BOARD

† May 23, 2005 - 10 a.m. -- Open Meeting
The Library of Virginia, 800 East Broad Street, Conference Room A, Richmond, Virginia. ♿

A meeting of the Circuit Court Records Preservation Grant Review Board to review, evaluate, and appropriately award grant applications submitted by circuit court clerks to undertake records preservation projects in their offices.

Contact: Jean H. Taylor, Executive Secretary Senior, The Library of Virginia, 800 E. Broad St., Richmond, Virginia 23219-8000, telephone (804) 692-3535, FAX (804) 692-3594, (804) 692-3976/TTY ☎, e-mail jtaylor@lva.lib.va.us.

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.

VIRGINIA MANUFACTURED HOUSING BOARD

† May 19, 2005 - 10 a.m. -- Open Meeting
The Jackson Center, 501 North 2nd Street, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular meeting to address complaints and claims against licensees and to carry out administrative responsibilities of the 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

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

† May 16, 2005 - 10 a.m. -- Open Meeting
Department of Social Services, 7 North 8th Street, 6th Floor, Boardroom, Richmond, Virginia. ♿

A meeting to develop a workplan for the No Wrong Door for Long Term Care Initiative.

Contact: Bonnie Scott, Administrative Assistant, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 786-8099, FAX (804) 371-4981, (800) 343-0634/TTY ☎, e-mail bonnie.scott@dmas.virginia.gov.

May 16, 2005 - Noon -- Open Meeting

Department of Medical Assistance Services, 600 East Broad Street, 13th Floor, Boardroom, Richmond, Virginia. ☎

A meeting to discuss dialysis reimbursement.

Contact: Carla Russell, Reimbursement Analyst, Department of Medical Assistance Services, 600 E. Broad St., Richmond, VA 23219, telephone (804) 225-4586, FAX (804) 786-0729, (800) 343-0634/TTY ☎, e-mail carla.russell@dmas.virginia.gov.

May 18, 2005 - 1 p.m. -- Open Meeting**† July 20, 2005 - 1 p.m.** -- Open Meeting

Department of Medical Assistance Services, 600 East Broad Street, 13th Floor, Boardroom, 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: Bob Knox, Transportation Manager, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 371-8854, FAX (804) 786-5799, (800) 343-0634/TTY ☎, e-mail bob.knox@dmas.virginia.gov.

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 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.

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.

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.

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.

Calendar of Events


† June 8, 2005 - 9 a.m. -- Open Meeting

Department of Medical Assistance Services, 600 East Broad Street, 13th Floor, Boardroom, Richmond, Virginia. 


A quarterly meeting of the Pharmacy and Therapeutics Committee.

Contact: Katina Goodwyn, Pharmacy Contract Manager, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 371-0428, FAX (804) 786-0973, (800) 343-0634/TTY , e-mail katina.goodwyn@dmas.virginia.gov.


† July 12, 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 Pharmacy Liaison Committee to discuss issues and concerns about Medicaid pharmacy issues with the committee and the community.

Contact: Rachel Cain, Pharmacist, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 225-2873, FAX (804) 786-5799, (800) 343-0634/TTY , e-mail rachel.cain@dmas.virginia.gov.

† August 11, 2005 - 2 p.m. -- Open Meeting


Department of Medical Assistance Services, 600 East Broad Street, 13th Floor, Board Room, Richmond, Virginia. 

A meeting of the Drug Utilization Review Board to discuss issues and concerns about Medicaid pharmacy issues with the committee and the community.

Contact: Rachel Cain, Pharmacist, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 225-2873, FAX (804) 786-5799, (800) 343-0634/TTY , e-mail rachel.cain@dmas.virginia.gov.

BOARD OF MEDICINE


† May 18, 2005 - 9 a.m. -- Open Meeting

Williamsburg Marriott, 50 Kingsmill Road, Williamsburg, Virginia. 

† May 24, 2005 - 9 a.m. -- Open Meeting

Clarion Hotel, 3315 Ordway Drive, Roanoke, 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.

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.

† May 20, 2005 - 1:30 p.m. -- Open Meeting

Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia. 


Formal hearings to inquire into allegations that certain practitioners may have violated certain laws and regulations governing the practice of medicine and other healing arts. 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.

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.

Advisory Board on Acupuncture

† August 3, 2005 - 9 a.m. -- Open Meeting

Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 4, Richmond, Virginia.

A meeting to consider issues related to the regulation of acupuncture. Public comment 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.

Advisory Board on Athletic Training

† **August 4, 2005 - 9 a.m.** -- Open Meeting
Department of Health Professions, 6603 West Broad Street,
5th Floor, Board Room 4, Richmond, Virginia.

A meeting to consider issues related to the regulation of athletic training. Public comment 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.

Advisory Board on Occupational Therapy

August 2, 2005 - 9 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street,
5th Floor, Board Room 4, Richmond, Virginia.

A meeting to consider issues related to the regulation of occupational therapy. Public comment 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.

Advisory Board on Physician Assistants

† **August 4, 2005 - 1 p.m.** -- Open Meeting
Department of Health Professions, 6603 West Broad Street,
5th Floor, Board Room 4, Richmond, Virginia.

A meeting to consider issues related to the regulation of physician assistants. Public comment 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.

Advisory Board on Radiologic Technology

† **August 3, 2005 - 1 p.m.** -- Open Meeting
Department of Health Professions, 6603 West Broad Street,
5th Floor, Board Room 4, Richmond, Virginia.

A meeting to consider issues related to the regulation of radiologic technologists and radiologic technologist-limited. Public comment 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.

Advisory Board on Respiratory Care

August 2, 2005 - 1 p.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street,
5th Floor, Board Room 4, Richmond, Virginia.

A meeting to consider issues related to the regulation of respiratory care. Public comment 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.

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.

DEPARTMENT OF MINES, MINERALS AND ENERGY

Virginia Gas and Oil Board

† **May 17, 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 to hear petitions for location exceptions, pooling, and disbursement.

Contact: Bob R. 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.

VIRGINIA MUSEUM OF FINE ARTS

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:

11:15 - Art Acquisitions (Library)

Calendar of Events

NOTE: CHANGE IN MEETING TIMES

1 p.m. - Artistic Oversight (CEO Parlor)

3:30 p.m. - Government Affairs (CEO 2nd Floor Conference Room)

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 - 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 6, 2005 - 10 a.m. -- Open Meeting

University of Richmond, Jepson Alumni Center, Richmond, Virginia. ♿

A meeting for trustees to evaluate the new committee restructuring. 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

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

July 20, 2005 - 9 a.m. -- Open Meeting

July 21, 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

July 19, 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.

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.

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

July 27, 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.

OLMSTEAD OVERSIGHT ADVISORY COMMITTEE

May 24, 2005 - 11 a.m. -- Open Meeting

July 26, 2005 - 11 a.m. -- Open Meeting

Virginia Housing Development Authority, 621 South Belvidere Street, Richmond, Virginia.

A joint meeting between the Implementation Team and the Oversight Advisory Committee.

Contact: Kathie Shifflett, Administrative Assistant, 8004 Franklin Farms Dr., Richmond, VA 23229, telephone (804) 622-7069, FAX (804) 662-7663, e-mail kathie.shifflett@drs.virginia.gov.

June 16, 2005 - 11 a.m. -- Open Meeting

† August 11, 2005 - 11 a.m. -- Open Meeting


Virginia Housing Development Authority, 621 South Belvidere Street, Richmond, Virginia.

A regular meeting.


Contact: Kathie Shifflett, Administrative Assistant, 8004 Franklin Farms Dr., Richmond, VA 23229, telephone (804) 622-7069, FAX (804) 662-7663, e-mail kathie.shifflett@drs.virginia.gov.

BOARD FOR OPTICIANS

July 22, 2005 - 9:30 a.m. -- Open Meeting

Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, Richmond, Virginia. 


A meeting to conduct general business including consideration of regulatory issues as may be presented on the agenda. 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 Opticians, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8590, FAX (804) 367-6295, (804) 367-9753/TTY , e-mail opticians@dpor.virginia.gov.


Calendar of Events

VIRGINIA BOARD FOR PEOPLE WITH DISABILITIES


May 17, 2005 - 4 p.m. -- Open Meeting

Valley Associates for Independent Living, 205-B South Liberty Street, Harrisonburg, Virginia.  (Interpreter for the deaf provided upon request)

May 19, 2005 - 4 p.m. -- Open Meeting

ENDependence Center of Northern Virginia, Inc., 3100 Clarendon Boulevard, Arlington, Virginia.  (Interpreter for the deaf provided upon request)


June 13, 2005 - 5 p.m. -- Open Meeting

Holiday Inn I-64, 6531 West Broad Street, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


June 28, 2005 - 4 p.m. -- Open Meeting

Blue Ridge Independent Living Center, 1502-B Williamson Road, NE, Roanoke, Virginia.  (Interpreter for the deaf provided upon request)


June 29, 2005 - 4 p.m. -- Open Meeting

Southwest Virginia Higher Education Center, One Partnership Circle, Room 222, Abingdon, Virginia.  (Interpreter for the deaf provided upon request)


A public comment forum in response to the interim biennial report.

Contact: Barbara Etnner, Director Policy, Research and Evaluation, Virginia Board for People with Disabilities, 202 N. 9th St., Richmond, VA, telephone (804) 786-7333, FAX (804) 786-1118, toll-free (800) 846-4464, (804) 786-0016/TTY , e-mail barbara.ettner@vbpd.virginia.gov.


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.

BOARD OF PHARMACY

May 18, 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 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, e-mail elaine.yeatts@dhp.virginia.gov.


† May 19, 2005 - 9 a.m. -- Open Meeting

Department of Health Professions, 6603 West Broad Street, 5th Floor, Conference Room 4, Richmond, Virginia. 


A meeting of the Special Conference Committee to 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, telephone (804) 662-9911, FAX (804) 662-9313.

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.

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.


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.

BOARD OF PSYCHOLOGY


May 26, 2005 - 9 a.m. -- Open Meeting
† **June 16, 2005 - 9 a.m.** -- Open Meeting
Department of Health Professions, 6603 West Broad Street,
5th Floor, Richmond, Virginia. 

An informal conference.


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.

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.


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

May 24, 2005 - 9 a.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, Real Estate Appraiser Board, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8552, (804) 367-9753/TTY , e-mail reappraisers@dpor.virginia.gov.

REAL ESTATE BOARD


May 18, 2005 - 2 p.m. -- Open Meeting
May 19, 2005 - 9 a.m. -- Open Meeting
† **May 20, 2005 - 2 p.m.** -- Open Meeting
† **June 1, 2005 - 9 a.m.** -- Open Meeting
† **June 2, 2005 - 9 a.m.** -- Open Meeting
† **June 9, 2005 - 9 a.m.** -- Open Meeting
† **June 16, 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.

Calendar of Events

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.

DEPARTMENT OF REHABILITATIVE SERVICES

Commonwealth Neurotrauma Initiative (CNI) Trust Fund Advisory Board

June 17, 2005 - 10 a.m. -- Open Meeting
Department of Rehabilitative Services, 8004 Franklin Farms Road, Conference Room 101, Richmond, Virginia. ♿
(Interpreter for the deaf provided upon request)

A regular meeting. There will be a public comment period at the beginning of the meeting.

Contact: Kristie Chamberlain, CNI Program Administrator, Department of Rehabilitative Services, DRS, 8004 Franklin Farms Dr., Richmond VA 23229, telephone (804) 662-7154, FAX (804) 662-7663, toll-free (800) 552-5019, (804) 464-9950/TTY ☎, e-mail kristie.chamberlain@drs.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.

VIRGINIA RESOURCES AUTHORITY

June 14, 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.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.

June 29, 2005 - 10 a.m. -- Open Meeting
† **August 10, 2005 - 10 a.m.** -- Open Meeting
General Assembly Building, 9th and Broad Streets, Senate Room B, Richmond, Virginia. ♿

A meeting to hear appeals of health department denials of septic tank permits.

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.

STATE BOARD OF SOCIAL SERVICES

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.


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.

† **August 16, 2005 - 9 a.m.** -- Open Meeting
Department of Social Services, 7 North 8th Street, 6th Floor, Conference Room, Richmond, Virginia. ♿

New member orientation.

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.


COUNCIL ON TECHNOLOGY SERVICES

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.

COMMONWEALTH TRANSPORTATION BOARD

May 18, 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.

May 19, 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.

† May 27, 2005 - 9 a.m. -- Public Hearing
Virginia Department of Forestry, Central Office, Fontaine Research Park, 900 Natural Resources Drive, Suite 800, Charlottesville, Virginia. 


† July 15, 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 Commonwealth Transportation Board intends to adopt regulations entitled **24 VAC 30-121, Comprehensive Roadside Management Program Regulations**. The purpose of the proposed action is to promulgate roadside management regulations to fulfill the directives of Chapter 679 of the 2004 Acts of Assembly.

Statutory Authority: §§ 33.1-12 and 33.1-223.2:9 of the Code of Virginia.

Contact: Jacob Porter, Roadside Operations Program Manager, Commonwealth Transportation Board, Asset Management Division, Monroe Tower, 1401 E. Broad St., 19th Floor, Richmond, VA 23219, telephone (804) 786-7218, FAX (804) 786-7987, e-mail jacobporter@vdot.virginia.gov.

TREASURY BOARD


† May 18, 2005 - 9 a.m. -- Open Meeting
† June 15, 2005 - 9 a.m. -- Open Meeting
† July 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.

DEPARTMENT OF VETERANS SERVICES

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.


Calendar of Events

BOARD OF VETERINARY MEDICINE


May 25, 2005 - 9 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street,
5th Floor, Conference Room 2, Richmond, Virginia. 

A formal hearing. After the formal hearing there will be a meeting to adopt regulations for delegation to an agency subordinate and to discuss general board business as may be presented on agenda and discussion of inspection issues with enforcement staff.

Contact: Elizabeth A. Carter, Ph.D., Executive Director, Board of Veterinary Medicine, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9915, FAX (804) 662-7098, (804) 662-7197/TTY , e-mail elizabeth.carter@dhp.virginia.gov.

May 26, 2005 - 9 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street,
5th Floor, Conference Room 4, Richmond, Virginia. 

Informal conferences (disciplinary hearings). These are public hearings, but public comment will not be received.

Contact: Terri Behr, Administrative Assistant, Board of Veterinary Medicine, 6603 W. Broad St., 5th Floor, Richmond, VA 23230, telephone (804) 662-9915, FAX (804) 662-7098, (804) 662-7197/TTY , e-mail terri.behr@dhp.virginia.gov.

STATE WATER CONTROL BOARD

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, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4456, FAX (804) 698-4347, e-mail swkudlas@deq.virginia.gov.

† May 17, 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 established to assist in the development of a general VPDES permit for coin-operated laundries.

Contact: George Cosby, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4067, FAX (804) 698-4032, e-mail gecosby@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 appeared 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, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4121, FAX (804) 698-4522, e-mail dcwhitehurst@deq.virginia.gov.

May 25, 2005 - 2 p.m. -- Open Meeting
Department of Environmental Quality, Piedmont Regional
Office, 4949-A Cox Road, Glen Allen, Virginia. 

A public meeting to receive comments on the Notice of Intent (NOIRA) to adopt a general VPDES watershed permit regulation establishing annual maximum VPDES permitted point source discharge limitations for total nitrogen and total phosphorus to the Chesapeake Bay Watershed and a nutrient-trading mechanism. The NOIRA appeared in the Virginia Register of Regulations on May 2, 2005, and the comment period closes on July 1, 2005.

Contact: Allan Brockenbrough, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4147, FAX (804) 698-4032, e-mail abrockenbrough@deq.virginia.gov.

† May 25, 2005 - 7:30 p.m. -- Public Hearing
James River High School, 3700 James River Road, Cafeteria,
Midlothian, Virginia. 

A public hearing to receive comments on the proposed issuance of a Virginia Water Protection Permit to Robious Investments for Phase III of the Tarrington Subdivision in Chesterfield County. The public comment period ends on June 9, 2005.

Contact: Anthony Cario, Department of Environmental Quality, 4949-A Cox Rd., Glen Allen, VA 23060, telephone (804) 527-5074, FAX (804) 527-5106, e-mail ajcario@deq.virginia.gov.

June 6, 2005 - 2 p.m. -- Public Hearing
Department of Environmental Quality, Valley Regional Office,
4411 Early Road, Harrisonburg, Virginia.

June 8, 2005 - 1:30 p.m. -- Public Hearing
Department of Environmental Quality, West Central Regional
Office, 3019 Peters Creek Road, Roanoke, Virginia.

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 25-720, Water Quality Management Planning Regulation**. The purpose of the proposed action is to amend the New River Basin section (9 VAC 25-720-130) to update the stream segment classifications, effluent limitations and waste load allocations that have changed to reflect new requirements or changing water quality conditions.

Statutory Authority: § 62.1-44.15 of the Code of Virginia; Clean Water Act (33 USC § 1313 (e)); 40 CFR Part 130.

Public comments may be submitted until July 1, 2005.

Contact: Jason R. Hill, Department of Environmental Quality, 3019 Peters Creek Rd., Roanoke, VA 24019, telephone (540) 562-6724, FAX (540) 562-6729, e-mail jrhill@deq.virginia.gov.

June 6, 2005 - 2 p.m. -- Public Hearing
Department of Environmental Quality, Valley Regional Office,
4411 Early Road, Harrisonburg, Virginia.

June 8, 2005 - 1:30 p.m. -- Public Hearing
Department of Environmental Quality, West Central Regional
Office, 3019 Peters Creek Road, Roanoke, Virginia.

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 25-720, Water Quality Management Planning Regulation**. The purpose of the proposed action is to amend the Tennessee-Big Sandy River Basin section (9 VAC 25-720-90) to update the stream segment classifications, effluent limitations and waste load allocations that have changed to reflect new requirements or changing water quality conditions.

Statutory Authority: § 62.1-44.15 of the Code of Virginia; Clean Water Act (33 USC § 1313 (e)); 40 CFR Part 130.

Public comments may be submitted until July 1, 2005.

Contact: Jason R. Hill, Department of Environmental Quality, 3019 Peters Creek Rd., Roanoke, VA 24019, telephone (540) 562-6724, FAX (540) 562-6729, e-mail jrhill@deq.virginia.gov.

June 6, 2005 - 2 p.m. -- Public Hearing
Department of Environmental Quality, Valley Regional Office,
4411 Early Road, Harrisonburg, Virginia.

June 8, 2005 - 1:30 p.m. -- Public Hearing
Department of Environmental Quality, West Central Regional
Office, 3019 Peters Creek Road, Roanoke, Virginia.

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 25-720, Water Quality Management Planning Regulation**. The purpose of the proposed action is to amend the Roanoke River Basin section (9 VAC 25-720-80) to update the stream segment classifications, effluent limitations and waste load allocations that have changed to reflect new requirements or changing water quality conditions.

Statutory Authority: § 62.1-44.15 of the Code of Virginia; Clean Water Act (33 USC § 1313 (e)); 40 CFR Part 130.

Public comments may be submitted until July 1, 2005.

Contact: Jason R. Hill, Department of Environmental Quality, 3019 Peters Creek Rd., Roanoke, VA 24019, telephone (540) 562-6724, FAX (540) 562-6729, e-mail jrhill@deq.virginia.gov.

June 6, 2005 - 2 p.m. -- Public Hearing
Department of Environmental Quality, Valley Regional Office,
4411 Early Road, Harrisonburg, Virginia.

June 8, 2005 - 1:30 p.m. -- Public Hearing
Department of Environmental Quality, West Central Regional
Office, 3019 Peters Creek Road, Roanoke, Virginia.

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 25-720, Water Quality Management Planning Regulation**. The purpose of the proposed action is to amend the Potomac-Shenandoah River Basin section (9 VAC 25-720-50) to update the stream segment classifications, effluent limitations and waste load allocations that have changed to reflect new requirements or changing water quality conditions.

Statutory Authority: § 62.1-44.15 of the Code of Virginia; Clean Water Act (33 USC § 1313 (e)); 40 CFR Part 130.

Public comments may be submitted until July 1, 2005.

Contact: Jason R. Hill, Department of Environmental Quality, 3019 Peters Creek Rd., Roanoke, VA 24019, telephone (540) 562-6724, FAX (540) 562-6729, e-mail jrhill@deq.virginia.gov.

June 8, 2005 - 10 a.m. -- Open Meeting

July 7, 2005 - 10 a.m. -- Open Meeting


† August 9, 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: Elleanore Daub, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4111, FAX (804) 698-4116, e-mail emdaub@deq.virginia.gov.

Calendar of Events

† **June 9, 2005 - 10 a.m.** -- Public Hearing
Department of Environmental Quality, Piedmont Regional
Office, 4949-A Cox Road, Glen Allen, Virginia. 


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 25-110, Virginia Pollutant Discharge Elimination System (VPDES) General Permit for Sewage Discharges Less than or Equal to 1,000 Gallons Per Day**. The purpose of the proposed action is to reissue and amend, as necessary, the existing general permit that establishes limitations and monitoring requirements for domestic sewage discharges of less than or equal to 1,000 gallons per day.

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

Public comments may be submitted until July 15, 2005.

Contact: Burton Tuxford, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4086, FAX (804) 698-4032, e-mail btuxford@deq.virginia.gov.

† **June 21, 2005 - 9:30 a.m.** -- Open Meeting

† **July 14, 2005 - 9:30 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 Virginia Water Protection Permit Regulation.


Contact: William K. Norris, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4022, FAX (804) 698-4224, e-mail wknorris@deq.virginia.gov.

June 28, 2005 - 9:30 a.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, House
Room C, Richmond, VA


A regular board meeting.

Contact: Cindy Berndt, Regulatory Coordinator, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4378, FAX (804) 698-4346, e-mail cmberndt@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.

INDEPENDENT

STATE LOTTERY BOARD


May 25, 2005 - 9:30 a.m. -- Open Meeting
Virginia Lottery, 900 East Main Street, 13th Floor, Richmond,
Virginia. 

A regular meeting to include routine business. There will be an opportunity for public comment shortly after the meeting is convened.


Contact: Frank S. Ferguson, Director, Legislative and Regulatory Affairs, State Lottery Department, 900 E. Main St., Richmond, VA 23219, telephone (804) 692-7901, FAX (804) 692-7603, e-mail fferguson@valottery.state.va.us.

VIRGINIA OFFICE FOR PROTECTION AND ADVOCACY


Board for Protection and Advocacy

July 19, 2005 - 9 a.m. -- Open Meeting
Virginia Office for Protection and Advocacy, Byrd Building,
1910 Byrd Avenue, Suite 5, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


Public comment is welcomed and will be accepted at the start of the meeting. If you wish to provide public comment via telephone, or if interpreter services or other accommodations are required, please contact Lisa Shehi at 1-800-552-3962 or via e-mail at lisa.shehi@vopa.virginia.gov no later than Tuesday, July 5, 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 lisa.shehi@vopa.virginia.gov.

Disabilities Advisory Council

July 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)

Public comment is welcome and will be received at the beginning of the meeting. For those needing interpreter services or other accommodations, please contact Ms. Delicia (Dee) Vance by July 14, 2005.

Contact: Delicia Vance, Outreach Advocate, Virginia Office for Protection and Advocacy, 1910 Byrd Ave., Suite 5, Richmond, VA 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.

PAIMI Advisory Council

† **August 11, 2005 - 10 a.m.** -- Open Meeting
Location to be announced.

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 July 29, 2005.

Contact: Delicia Vance, Outreach Advocate, Virginia Office for Protection and Advocacy, 1910 Byrd Ave., Suite 5, Richmond, VA 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.

VIRGINIA RETIREMENT SYSTEM

May 17, 2005 - Noon -- Open Meeting

† **August 16, 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 lking@vrs.state.va.us.

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. ♿

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

May 23, 2005 - 10 a.m. -- Open Meeting

June 15, 2005 - 10 a.m. -- Open Meeting

July 20, 2005 - 10 a.m. -- Open Meeting

General Assembly Building, 9th and Broad Streets, 6th Floor, Speaker's Conference Room, Richmond, 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 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.

Calendar of Events

JOINT SUBCOMMITTEE STUDYING CONFLICTS OF INTERESTS AND LOBBYIST DISCLOSURE FILINGS

May 23, 2005 - 10 a.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, House Room C, Richmond, Virginia. 

A regular meeting. For questions regarding the meeting agenda, contact Amigo Wade, Division of Legislative Services, (804) 786-3591.

Contact: Barbara L. Teague, House Committee Operations, 910 Capitol St., Richmond, VA 23219, telephone (804) 698-1540.


JOINT SUBCOMMITTEE ON MANUFACTURING NEEDS AND THE FUTURE OF MANUFACTURING IN VIRGINIA

June 7, 2005 - 1 p.m. -- Open Meeting
Barr Labs, 2150 Perrowville Road, Forest, Virginia.

A regular meeting. For questions regarding the meeting agenda, contact Frank Munyan, Division of Legislative Services, (804) 786-3591. Individuals requiring interpreter services or other accommodations should telephone Senate Committee Operations at (804) 698-7450, (804) 698-7419/TTY, or write to Senate Committee Operations, P.O. Box 396, Richmond, VA 23218 at least seven days prior to the meeting.

Contact: Hobie Lehman, Senate Committee Operations, General Assembly Bldg., 910 Capitol St., Richmond, VA 23219, telephone (804) 698-7450.


JOINT COMMISSION ON TECHNOLOGY AND SCIENCE

† May 18, 2005 - 10 a.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia. 

A meeting of the JCOTS Advisory Committee on Emerging Science and Technology Issues.

Contact: Lisa Wallmeyer, Acting Director, Joint Commission on Technology and Science, 910 Capitol St., 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591, e-mail lwallmeyer@leg.state.va.us.

JOINT SUBCOMMITTEE STUDYING THE VOTING EQUIPMENT CERTIFICATION PROCESS

† May 18, 2005 - 1 p.m. -- Open Meeting
† July 18, 2005 - 1 p.m. -- Open Meeting
† August 22, 2005 - 1 p.m. -- Open Meeting
† November 21, 2005 - 1 p.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, House Room C, Richmond, Virginia. 

A regular meeting. For questions regarding the meeting agenda, contact Mary Spain or Jack Austin, Division of Legislative Services, (804) 786-3591.

Contact: Barbara L. Regen, House Committee Operations, 910 Capitol St., Richmond, VA 23219, telephone (804) 698-1540.

CHRONOLOGICAL LIST

OPEN MEETINGS

May 16

† Medical Assistance Services, Department of Nursing, Board of Old Dominion University

May 17

Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects, Board for Contractors, Board for Corrections, Board of Education, Department of - State Special Education Advisory Committee Environmental Quality, Department of Health, Department of Housing Development Authority, Virginia † Mines, Minerals and Energy, Department of - Virginia Gas and Oil Board Nursing, Board of People with Disabilities, Virginia Board for Research and Technology Advisory Commission, Virginia Retirement System, Virginia † Water Control Board, State

May 18

Asbestos, Lead, and Home Inspectors, Virginia Board for Community Colleges, State Board for Corrections, Board of † Environmental Quality, Department of Medical Assistance Services, Department of † Medicine, Board of Museum of Fine Arts, Virginia Nursing, Board of Real Estate Board Retirement System, Virginia Sewage Handling and Disposal Appeal Review Board † Technology and Science, Joint Commission on Transportation Board, Commonwealth † Treasury Board † Voting Equipment Certification Process, Joint Subcommittee Studying the

May 19

† Aging, Commonwealth Council on Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects, Board for Asbestos, Lead, and Home Inspectors, Virginia Board for Audiology and Speech-Language Pathology, Board of Community Colleges, State Board for † Conservation and Recreation, Department of - Virginia Soil and Water Conservation Board Contractors, Board for Design-Build/Construction Management Review Board Environmental Quality, Department of Jamestown-Yorktown Foundation

† Manufactured Housing Board, Virginia
Museum of Fine Arts, Virginia
Nursing, Board of
People with Disabilities, Virginia Board for
† Pharmacy, Board of
Real Estate Board
Retirement System, Virginia
Transportation Board, Commonwealth

May 20

† Dentistry, Board of
Health, Department of
Jamestown-Yorktown Foundation
† Medicine, Board of
Museum of Natural History, Virginia
† Real Estate Board

May 21

Museum of Natural History, Virginia

May 23

Alcoholic Beverage Control Board
Code Commission, Virginia
Conflicts of Interest and Lobbyist Disclosure Filings, Joint
Subcommittee Studying
† Economic Development Partnership, Virginia
† Library Board, State

May 24

† Auctioneers Board
† Conservation and Recreation, Department of
- Chippokes Plantation Farm Foundation Board
Economic Development Partnership, Virginia
† Education, Board of
Environmental Quality, Department of
Labor and Industry, Department of
- Safety and Health Codes Board
Marine Resources Commission
† Medicine, Board of
Olmstead Oversight Advisory Committee
Real Estate Appraiser Board
Water Control Board, State

May 25

Air Pollution Control Board, State
Compensation Board
† Contractors, Board for
Education, Board of
† Environmental Quality, Department of
Lottery Board, State
Milk Commission, State
Veterinary Medicine, Board of
Water Control Board, State

May 26

Psychology, Board of
Veterinary Medicine, Board of

June 1

† Emergency Planning Committee, Local
- City of Winchester
† Environmental Quality, Department of
† Real Estate Board

June 2

Barbers and Cosmetology, Board for
† Conservation and Recreation, Department of
- Board of Conservation and Recreation
Contractors, Board for
Counseling, Board of

Polygraph Examiners Advisory Board
† Real Estate Board

June 3

† Accountancy, Board of
Art and Architectural Review Board
Counseling, Board of
† Dentistry, Board of

June 6

Alcoholic Beverage Control Board
Museum of Fine Arts, Virginia
Professional and Occupational Regulation, Board for

June 7

Alzheimer's Disease and Related Disorders Commission
Arts, Virginia Commission for the
Charitable Gaming Board
† Conservation and Recreation, Department of
- Virginia Land Conservation Foundation Board
Contractors, Board for
Funeral and Directors and Embalmers, Board of
Manufacturing Needs and the Future of Manufacturing in
Virginia, Joint Subcommittee on
Nursing, Board of
Pharmacy, Board of

June 8

Cemetery Board
Jamestown-Yorktown Foundation
† Medical Assistance Services, Department of
Nursing, Board of
Veterans Services, Department of
- Veteran Services Foundation
Water Control Board, State

June 9

† Barbers and Cosmetology, Board for
Criminal Justice Services Board
† Real Estate 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
Resources Authority, Virginia

June 15

At-Risk Youth and Families, Comprehensive Services for
- State Executive Council
Code Commission, Virginia
Freedom of Information Advisory Council, Virginia
Social Services, State Board of
† Treasury Board

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

Calendar of Events

- Olmstead Oversight Advisory Committee
† Psychology, Board of
† Real Estate Board
Social Services, State Board of
- June 17**
Health Professions, Department of
- Health Practitioners' Intervention Program Committee
Rehabilitative Services, Department of
- Commonwealth Neurotrauma Initiative Trust Fund
Advisory Board
- June 20**
Alcoholic Beverage Control Board
† Chesapeake Bay Local Assistance Board
- June 21**
† Water Control Board, State
- June 22**
Air Pollution Control Board, State
Education, Board of
Nursing and Medicine, Joint Boards of
Waterworks and Wastewater Works Operators, Board for
- June 23**
† Cemetery Board
† Game and Inland Fisheries, Board of
Technology Services, Council on
- June 25**
Blind and Vision Impaired, Department of the
- Statewide Rehabilitation Council for the Blind
- June 28**
† Conservation and Recreation, Department of
- Virginia Scenic River Board
Marine Resources Commission
People with Disabilities, Virginia Board for
Water Control Board, State
- June 29**
Accountancy, Board of
People with Disabilities, Virginia Board for
Sewage Handling and Disposal Appeal Review Board
- 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
† Medical Assistance Services, Department of
Psychology, Board of
- July 13**
Information Technologies Agency, Virginia
- E-911 Wireless Service Board
- July 14**
Medicine, Board of
† Water Control Board, State
- July 18**
Alcoholic Beverage Control Board
Hearing Aid Specialists, Board for
Nursing, Board of
† Voting Equipment Certification Process, Joint
Subcommittee Studying the
- July 19**
Contractors, Board for
Corrections, Board of
Nursing, Board of
Protection and Advocacy, Virginia Office for
- Board for Protection and Advocacy
- July 20**
† Agriculture and Consumer Services, Department of
- Virginia Small Grains Board
Code Commission, Virginia
Corrections, Board of
† Medical Assistance Services, Department of
Nursing, Board of
† Treasury Board
- July 21**
Design-Build/Construction Management Review Board
Education, Department of
- State Special Education Advisory Committee
Nursing, Board of
- July 22**
Education, Department of
- State Special Education Advisory Committee
Opticians, Board for
- July 26**
† Accountancy, Board of
Olmstead Advisory Committee
- July 27**
Education, Board of
Geology, Board for
Nursing Home Administrators, Board of
- July 28**
Protection and Advocacy, Virginia Office for
- Disabilities Advisory Council
- August 1**
Alcoholic Beverage Control Board
- August 2**
Medicine, Board of
- Advisory Board on Occupational Therapy
- Advisory Board on Respiratory Care
- August 3**
† Deaf and Hard-of-Hearing, Department for the
† Jamestown-Yorktown Foundation
† Medicine, Board of
- Advisory Board on Acupuncture
- Advisory Board on Radiologic Technology
- August 4**
† Accountancy, Board of
† Medicine, Board of
- Advisory Board of Athletic Training
- Advisory Board on Physician Assistants
- August 5**
† Art and Architectural Review Board
- August 9**
† Water Control Board, State
- August 10**
† Contractors, Board for
† Sewage Handling and Disposal Appeal Review Board
- August 11**
† Medical Assistance Services, Department of
† Olmstead Oversight Advisory Committee
† Protection and Advocacy, Virginia Office for
- PAIMI Advisory Council

August 15

- † Alcoholic Beverage Control Board
- † Barbers and Cosmetology, Board for

August 16

- † Social Services, State Board of
- † Retirement System, Virginia

August 22

- † Voting Equipment Certification Process, Joint Subcommittee Studying the

November 21

- † Voting Equipment Certification Process, Joint Subcommittee Studying the

PUBLIC HEARINGS

May 16

- Water Control Board, State

May 17

- Water Control Board, State

May 19

- Air Pollution Control Board, State

May 25

- † Water Control Board, State

May 27

- † Transportation Board, Commonwealth

June 6

- † Conservation and Recreation, Department of Water Control Board, State

June 8

- † Conservation and Recreation, Department of Water Control Board, State

June 9

- † Conservation and Recreation, Department of Water Control Board, State

June 13

- † Conservation and Recreation, Department of

Calendar of Events
