



# Virginia Register of Regulations

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# THE VIRGINIA REGISTER INFORMATION PAGE

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**THE VIRGINIA REGISTER OF REGULATIONS** is an official state publication issued every other week throughout the year. Indexes are published quarterly, and the last index of the year is cumulative. The *Virginia Register* has several functions. The new and amended sections of regulations, both as proposed and as finally adopted, are required by law to be published in the *Virginia Register*. In addition, the *Virginia Register* is a source of other information about state government, including petitions for rulemaking, emergency regulations, executive orders issued by the Governor, the Virginia Tax Bulletin issued periodically by the Department of Taxation, and notices of public hearings and open meetings of state agencies.

## **ADOPTION, AMENDMENT, AND REPEAL OF REGULATIONS**

An agency wishing to adopt, amend, or repeal regulations must first publish in the *Virginia Register* a notice of intended regulatory action; a basis, purpose, substance and issues statement; an economic impact analysis prepared by the Department of Planning and Budget; the agency's response to the economic impact analysis; a summary; a notice giving the public an opportunity to comment on the proposal; and the text of the proposed regulation.

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

The Joint Commission of Administrative Rules (JCAR) or the appropriate standing committee of each house of the General Assembly may meet during the promulgation or final adoption process and file an objection with the Registrar and the promulgating agency. The objection will be published in the *Virginia Register*. Within 21 days after receipt by the agency of a legislative objection, the agency shall file a response with the Registrar, the objecting legislative body, and the Governor.

When final action is taken, the agency again publishes the text of the regulation as adopted, highlighting all changes made to the proposed regulation and explaining any substantial changes made since publication of the proposal. A 30-day final adoption period begins upon final publication in the *Virginia Register*.

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

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

A regulation becomes effective at the conclusion of the 30-day final adoption period, or at any other later date specified by the promulgating agency, unless (i) a legislative objection has been filed, in which event the regulation, unless withdrawn, becomes effective on the date

specified, which shall be after the expiration of the 21-day objection period; (ii) the Governor exercises his authority to require the agency to provide for additional public comment, in which event the regulation, unless withdrawn, becomes effective on the date specified, which shall be after the expiration of the period for which the Governor has provided for additional public comment; (iii) the Governor and the General Assembly exercise their authority to suspend the effective date of a regulation until the end of the next regular legislative session; or (iv) the agency suspends the regulatory process, in which event the regulation, unless withdrawn, becomes effective on the date specified, which shall be after the expiration of the 30-day public comment period and no earlier than 15 days from publication of the readopted action.

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

## **FAST-TRACK RULEMAKING PROCESS**

Section 2.2-4012.1 of the Code of Virginia provides an exemption from certain provisions of the Administrative Process Act for agency regulations deemed by the Governor to be noncontroversial. To use this process, Governor's concurrence is required and advance notice must be provided to certain legislative committees. Fast-track regulations will become effective on the date noted in the regulatory action if no objections to using the process are filed in accordance with § 2.2-4012.1.

## **EMERGENCY REGULATIONS**

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

During the time the emergency status is in effect, the agency may proceed with the adoption of permanent regulations through the usual procedures. To begin promulgating the replacement regulation, the agency must (i) file the Notice of Intended Regulatory Action with the Registrar within 60 days of the effective date of the emergency regulation and (ii) file the proposed regulation with the Registrar within 180 days of the effective date of the emergency regulation. If the agency chooses not to adopt the regulations, the emergency status ends when the prescribed time limit expires.

## **STATEMENT**

The foregoing constitutes a generalized statement of the procedures to be followed. For specific statutory language, it is suggested that Article 2 (§ 2.2-4006 et seq.) of Chapter 40 of Title 2.2 of the Code of Virginia be examined carefully.

## **CITATION TO THE VIRGINIA REGISTER**

The *Virginia Register* is cited by volume, issue, page number, and date. **18:23 VA.R. 2997-3011 July 29, 2002**, refers to Volume 18, Issue 23, pages 2997 through 3011 of the *Virginia Register* issued on July 29, 2002.

*The Virginia Register of Regulations* is published pursuant to Article 6 (§ 2.2-4031 et seq.) of Chapter 40 of Title 2.2 of the Code of Virginia.

Members of the Virginia Code Commission: **R. Steven Landes**, Chairman; **John S. Edwards**, Vice Chairman; **Ryan T. McDougle**; **Robert Hurt**; **Robert L. Calhoun**; **Frank S. Ferguson**; **E.M. Miller, Jr.**; **Thomas M. Moncure, Jr.**; **James F. Almand**; **S. Bernard Goodwyn**.

Staff of the Virginia Register: **Jane D. Chaffin**, Registrar of Regulations; **June T. Chandler**, Assistant Registrar.

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# PUBLICATION SCHEDULE AND DEADLINES

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

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## October 2006 through August 2007

<u>Volume: Issue</u>	<u>Material Submitted By Noon*</u>	<u>Will Be Published On</u>
<b>FINAL INDEX - Volume 22</b>		<b>October 2006</b>
23:2	September 13, 2006	October 2, 2006
23:3	September 27, 2006	October 16, 2006
23:4	October 11, 2006	October 30, 2006
23:5	October 25, 2006	November 13, 2006
23:6	November 8, 2006	November 27, 2006
23:7	November 21, 2006 ( <b>Tuesday</b> )	December 11, 2006
<b>INDEX 1 Volume 23</b>		<b>January 2007</b>
23:8	December 6, 2006	December 25, 2006
23:9	December 19, 2006 ( <b>Tuesday</b> )	January 8, 2007
23:10	January 3, 2007	January 22, 2007
23:11	January 17, 2007	February 5, 2007
23:12	January 31, 2007	February 19, 2007
23:13	February 14, 2007	March 5, 2007
23:14	February 28, 2007	March 19, 2007
<b>INDEX 2 Volume 23</b>		<b>April 2007</b>
23:15	March 14, 2007	April 2, 2007
23:16	March 28, 2007	April 16, 2007
23:17	April 11, 2007	April 30, 2007
23:18	April 25, 2007	May 14, 2007
23:19	May 9, 2007	May 28, 2007
23:20	May 23, 2007	June 11, 2007
<b>INDEX 3 Volume 23</b>		<b>July 2007</b>
23:21	June 6, 2007	June 25, 2007
23:22	June 20, 2007	July 9, 2007
23:23	July 3, 2007 ( <b>Tuesday</b> )	July 23, 2007
23:24	July 18, 2007	August 6, 2007

\*Filing deadlines are Wednesdays unless otherwise specified.

# 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 2006 VAC Supplement includes final regulations published through *Virginia Register* Volume 22, Issue 9, dated January 9, 2006). Emergency regulations, if any, are listed, followed by the designation “emer,” and errata pertaining to final regulations are listed. Proposed regulations are not listed here. The table lists the sections in numerical order and shows action taken, the volume, issue and page number where the section appeared, and the effective date of the section.

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
<b>Title 1. Administration</b>			
1 VAC 50-10-10 through 1 VAC 50-10-50	Repealed	22:26 VA.R. 4083	10/4/06
1 VAC 50-10-60 through 1 VAC 50-10-150	Added	22:26 VA.R. 4084-4085	10/4/06
1 VAC 50-20-1	Added	22:26 VA.R. 4085	10/4/06
1 VAC 50-20-5	Added	22:26 VA.R. 4085	10/4/06
1 VAC 50-20-10	Amended	22:26 VA.R. 4086	10/4/06
1 VAC 50-20-20	Repealed	22:26 VA.R. 4086	10/4/06
1 VAC 50-20-30	Repealed	22:26 VA.R. 4086	10/4/06
1 VAC 50-20-40	Amended	22:26 VA.R. 4086	10/4/06
1 VAC 50-20-50	Amended	22:26 VA.R. 4086	10/4/06
1 VAC 50-20-60 through 1 VAC 50-20-90	Repealed	22:26 VA.R. 4086-4087	10/4/06
1 VAC 50-20-100	Amended	22:26 VA.R. 4087	10/4/06
1 VAC 50-20-110	Amended	22:26 VA.R. 4087	10/4/06
1 VAC 50-20-120	Repealed	22:26 VA.R. 4087	10/4/06
1 VAC 50-20-130	Repealed	22:26 VA.R. 4087	10/4/06
1 VAC 50-20-140	Amended	22:26 VA.R. 4087	10/4/06
1 VAC 50-20-142	Added	22:26 VA.R. 4087	10/4/06
1 VAC 50-20-150 through 1 VAC 50-20-180	Amended	22:26 VA.R. 4088	10/4/06
1 VAC 50-20-190 through 1 VAC 50-20-220	Repealed	22:26 VA.R. 4088	10/4/06
1 VAC 50-20-230	Amended	22:26 VA.R. 4089	10/4/06
1 VAC 50-20-240	Repealed	22:26 VA.R. 4089	10/4/06
1 VAC 50-20-250	Repealed	22:26 VA.R. 4089	10/4/06
1 VAC 50-20-260	Repealed	22:26 VA.R. 4089	10/4/06
1 VAC 50-20-270	Amended	22:26 VA.R. 4089	10/4/06
1 VAC 50-20-280	Repealed	22:26 VA.R. 4089	10/4/06
1 VAC 50-20-290	Repealed	22:26 VA.R. 4089	10/4/06
1 VAC 50-20-300	Repealed	22:26 VA.R. 4090	10/4/06
1 VAC 50-20-310	Amended	22:26 VA.R. 4090	10/4/06
1 VAC 50-20-320	Repealed	22:26 VA.R. 4090	10/4/06
1 VAC 50-20-330	Repealed	22:26 VA.R. 4090	10/4/06
1 VAC 50-20-340	Repealed	22:26 VA.R. 4090	10/4/06
1 VAC 50-20-350	Amended	22:26 VA.R. 4090	10/4/06
1 VAC 50-20-360	Repealed	22:26 VA.R. 4090	10/4/06
1 VAC 50-20-370	Repealed	22:26 VA.R. 4091	10/4/06
1 VAC 50-20-380	Repealed	22:26 VA.R. 4091	10/4/06
1 VAC 50-20-382	Added	22:26 VA.R. 4091	10/4/06
1 VAC 50-20-384	Added	22:26 VA.R. 4091	10/4/06
1 VAC 50-20-390	Amended	22:26 VA.R. 4091	10/4/06
1 VAC 50-20-400 through 1 VAC 50-20-530	Repealed	22:26 VA.R. 4091-4093	10/4/06
1 VAC 50-20-540 through 1 VAC 50-20-600	Amended	22:26 VA.R. 4093-4098	10/4/06

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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
1 VAC 50-20-601	Added	22:26 VA.R. 4098	10/4/06
1 VAC 50-20-605	Added	22:26 VA.R. 4099	10/4/06
1 VAC 50-20-610	Amended	22:26 VA.R. 4100	10/4/06
1 VAC 50-20-612	Added	22:26 VA.R. 4101	10/4/06
1 VAC 50-20-614	Added	22:26 VA.R. 4101	10/4/06
1 VAC 50-20-616	Added	22:26 VA.R. 4102	10/4/06
1 VAC 50-20-620 through 1 VAC 50-20-670	Amended	22:26 VA.R. 4102-4105	10/4/06
1 VAC 50-20-680	Repealed	22:26 VA.R. 4105	10/4/06
1 VAC 50-20-690	Repealed	22:26 VA.R. 4105	10/4/06
1 VAC 50-20-700	Repealed	22:26 VA.R. 4105	10/4/06
<b>Title 2. Agriculture</b>			
2 VAC 5-20-10 through 2 VAC 5-20-40	Amended	22:11 VA.R. 1761-1764	3/10/06
2 VAC 5-20-30	Erratum	22:13 VA.R. 2153	--
2 VAC 5-195-10 through 2 VAC 5-195-180	Added	22:25 VA.R. 3872-3876	8/21/06
2 VAC 5-210-10	Amended	22:24 VA.R. 3579	7/19/06
2 VAC 5-210-20	Amended	22:24 VA.R. 3579	7/19/06
2 VAC 5-210-30	Amended	22:24 VA.R. 3579	7/19/06
2 VAC 5-210-41	Added	22:24 VA.R. 3580	7/19/06
2 VAC 5-210-40	Repealed	22:24 VA.R. 3580	7/19/06
2 VAC 5-210-50	Repealed	22:24 VA.R. 3580	7/19/06
2 VAC 5-210-60	Amended	22:24 VA.R. 3581	7/19/06
2 VAC 5-330-30	Amended	22:24 VA.R. 3587	9/7/06
2 VAC 5-390-180	Amended	22:14 VA.R. 2201	2/27/06
2 VAC 20-40-10	Amended	22:26 VA.R. 4105	10/5/06
2 VAC 20-40-20	Amended	22:26 VA.R. 4106	10/5/06
2 VAC 20-40-40	Amended	22:26 VA.R. 4107	10/5/06
2 VAC 20-40-60	Amended	22:26 VA.R. 4107	10/5/06
2 VAC 20-40-65	Added	22:26 VA.R. 4107	10/5/06
2 VAC 20-40-70 through 2 VAC 20-40-110	Amended	22:26 VA.R. 4107-4109	10/5/06
2 VAC 20-40-120	Repealed	22:26 VA.R. 4109	10/5/06
<b>Title 4. Conservation and Natural Resources</b>			
4 VAC 5-36-50	Erratum	22:14 VA.R. 2216	--
4 VAC 5-40-10 through 4 VAC 5-40-350	Repealed	22:21 VA.R. 2801-2804	7/26/06
4 VAC 5-60-10 through 4 VAC 5-60-170	Repealed	22:21 VA.R. 2805-2807	7/26/06
4 VAC 10-30-10 through 4 VAC 10-30-350	Added	22:21 VA.R. 2801-2804	7/26/06
4 VAC 10-40-10 through 4 VAC 10-40-170	Added	22:21 VA.R. 2805-2807	7/26/06
4 VAC 15-20-65	Added	22:22 VA.R. 3089	7/1/06
4 VAC 15-20-130	Amended	22:19 VA.R. 2599	7/1/06
4 VAC 15-20-160	Amended	22:19 VA.R. 2600	7/1/06
4 VAC 15-40-30	Amended	22:19 VA.R. 2601	7/1/06
4 VAC 15-40-200	Amended	22:19 VA.R. 2601	7/1/06
4 VAC 15-40-285	Added	22:19 VA.R. 2601	7/1/06
4 VAC 15-50-71	Amended	22:19 VA.R. 2601	7/1/06
4 VAC 15-50-110	Amended	22:19 VA.R. 2602	7/1/06
4 VAC 15-50-120	Amended	22:19 VA.R. 2602	7/1/06
4 VAC 15-70-10	Amended	22:19 VA.R. 2602	7/1/06
4 VAC 15-70-60	Added	22:19 VA.R. 2602	7/1/06
4 VAC 15-90-22	Added	22:19 VA.R. 2603	7/1/06
4 VAC 15-90-70	Amended	22:19 VA.R. 2603	7/1/06
4 VAC 15-90-80	Amended	22:19 VA.R. 2604	7/1/06

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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
4 VAC 15-90-80	Amended	22:22 VA.R. 3091	7/1/06
4 VAC 15-90-90	Amended	22:19 VA.R. 2605	7/1/06
4 VAC 15-90-91	Added	22:19 VA.R. 2605	7/1/06
4 VAC 15-90-100 through 4 VAC 15-90-121	Repealed	22:19 VA.R. 2608-2609	7/1/06
4 VAC 15-90-141	Repealed	22:19 VA.R. 2609	7/1/06
4 VAC 15-90-160	Repealed	22:19 VA.R. 2609	7/1/06
4 VAC 15-90-170	Repealed	22:19 VA.R. 2609	7/1/06
4 VAC 15-90-190 through 4 VAC 15-90-220	Repealed	22:19 VA.R. 2609-2610	7/1/06
4 VAC 15-90-291	Added	22:19 VA.R. 2610	7/1/06
4 VAC 15-90-292	Added	22:19 VA.R. 2610	7/1/06
4 VAC 15-110-20	Amended	22:19 VA.R. 2613	7/1/06
4 VAC 15-120-10	Amended	22:19 VA.R. 2614	7/1/06
4 VAC 15-170-21	Added	22:19 VA.R. 2614	7/1/06
4 VAC 15-190-10	Amended	22:19 VA.R. 2614	7/1/06
4 VAC 15-200-10	Amended	22:19 VA.R. 2614	7/1/06
4 VAC 15-210-10 and 4 VAC 15-210-20	Amended	22:19 VA.R. 2615	7/1/06
4 VAC 15-230-21	Added	22:19 VA.R. 2615	7/1/06
4 VAC 15-230-40	Repealed	22:19 VA.R. 2615	7/1/06
4 VAC 15-230-61	Added	22:19 VA.R. 2616	7/1/06
4 VAC 15-240-10	Amended	22:19 VA.R. 2616	7/1/06
4 VAC 15-240-20	Amended	22:19 VA.R. 2616	7/1/06
4 VAC 15-240-31	Amended	22:19 VA.R. 2616	7/1/06
4 VAC 15-320-25	Amended	22:19 VA.R. 2617	7/1/06
4 VAC 15-320-100	Amended	22:16 VA.R. 2370	5/17/06
4 VAC 15-330-50	Amended	22:19 VA.R. 2623	7/1/06
4 VAC 15-330-140	Amended	22:19 VA.R. 2623	7/1/06
4 VAC 15-330-160	Amended	22:19 VA.R. 2623	7/1/06
4 VAC 15-340-10	Amended	22:19 VA.R. 2624	7/1/06
4 VAC 15-340-30	Amended	22:19 VA.R. 2624	7/1/06
4 VAC 15-340-40	Amended	22:19 VA.R. 2624	7/1/06
4 VAC 15-360-10	Amended	22:19 VA.R. 2625	7/1/06
4 VAC 15-360-30	Amended	22:19 VA.R. 2626	7/1/06
4 VAC 15-360-70	Added	22:19 VA.R. 2626	7/1/06
4 VAC 20-20-20	Amended	22:10 VA.R. 1551	12/22/05
4 VAC 20-20-50	Amended	22:10 VA.R. 1551	12/22/05
4 VAC 20-20-50 emer	Amended	22:10 VA.R. 1682	12/28/05-1/27/06
4 VAC 20-20-50	Amended	22:12 VA.R. 2033	1/27/06
4 VAC 20-150-10 emer	Amended	22:20 VA.R. 2716	5/29/06-6/28/06
4 VAC 20-150-70 emer	Amended	22:20 VA.R. 2716	5/29/06-6/28/06
4 VAC 20-150-70	Amended	22:23 VA.R. 3277	6/28/06
4 VAC 20-252-30	Amended	22:23 VA.R. 3277	7/1/06
4 VAC 20-252-50	Amended	22:23 VA.R. 3278	7/1/06
4 VAC 20-252-55	Amended	22:15 VA.R. 2280	3/2/06
4 VAC 20-252-115	Added	22:23 VA.R. 3278	7/1/06
4 VAC 20-252-150	Amended	22:15 VA.R. 2280	3/2/06
4 VAC 20-450-30	Amended	22:20 VA.R. 2704	5/26/06
4 VAC 20-530-10	Amended	22:12 VA.R. 2034	1/27/06
4 VAC 20-530-20	Amended	22:12 VA.R. 2034	1/27/06
4 VAC 20-530-20 emer	Amended	22:14 VA.R. 2208	3/2/06-3/31/06
4 VAC 20-530-20	Amended	22:16 VA.R. 2371	3/31/06
4 VAC 20-530-23	Repealed	22:12 VA.R. 2034	1/27/06

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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
4 VAC 20-530-26	Repealed	22:12 VA.R. 2034	1/27/06
4 VAC 20-530-29	Repealed	22:12 VA.R. 2034	1/27/06
4 VAC 20-530-30	Amended	22:12 VA.R. 2034	1/27/06
4 VAC 20-530-30 emer	Amended	22:14 VA.R. 2208	3/2/06-3/31/06
4 VAC 20-530-30	Amended	22:16 VA.R. 2371	3/31/06
4 VAC 20-530-31	Added	22:12 VA.R. 2035	1/27/06
4 VAC 20-530-31 emer	Amended	22:14 VA.R. 2208	3/2/06-3/31/06
4 VAC 20-530-31	Amended	22:16 VA.R. 2371	3/31/06
4 VAC 20-530-32 emer	Added	22:14 VA.R. 2209	3/2/06-3/31/06
4 VAC 20-530-32	Added	22:16 VA.R. 2371	3/31/06
4 VAC 20-530-35	Repealed	22:12 VA.R. 2035	1/27/06
4 VAC 20-560-20 emer	Amended	22:16 VA.R. 2387	3/30/06-4/28/06
4 VAC 20-560-20	Amended	22:19 VA.R. 2626	4/28/06
4 VAC 20-560-40 emer	Amended	22:16 VA.R. 2388	3/30/06-4/28/06
4 VAC 20-560-40	Amended	22:19 VA.R. 2627	4/28/06
4 VAC 20-560-50 emer	Amended	22:16 VA.R. 2388	3/30/06-4/28/06
4 VAC 20-560-50	Amended	22:19 VA.R. 2628	4/28/06
4 VAC 20-566-30	Amended	22:25 VA.R. 3877	8/1/06
4 VAC 20-720-40	Amended	22:10 VA.R. 1552	1/1/06
4 VAC 20-720-40 emer	Amended	22:12 VA.R. 2043	2/1/06-2/28/06
4 VAC 20-720-50	Amended	22:10 VA.R. 1552	1/1/06
4 VAC 20-720-50 emer	Amended	22:12 VA.R. 2043	2/1/06-2/28/06
4 VAC 20-720-70	Amended	22:10 VA.R. 1553	1/1/06
4 VAC 20-720-75	Amended	22:10 VA.R. 1553	1/1/06
4 VAC 20-900-10 through 4 VAC 20-900-30	Amended	22:23 VA.R. 3279-3280	7/1/06
4 VAC 20-900-25	Amended	22:10 VA.R. 1553	12/22/05
4 VAC 20-900-30	Amended	22:10 VA.R. 1554	12/22/05
4 VAC 20-910-45	Amended	22:10 VA.R. 1555	12/30/05
4 VAC 20-950-47 emer	Amended	22:10 VA.R. 1682	1/1/06-1/30/06
4 VAC 20-950-47	Amended	22:12 VA.R. 2035	2/1/06
4 VAC 20-950-48 emer	Amended	22:10 VA.R. 1683	1/1/06-1/30/06
4 VAC 20-950-48	Amended	22:12 VA.R. 2035	2/1/06
4 VAC 20-1040-20	Amended	22:10 VA.R. 1555	1/1/06
4 VAC 20-1100-10 through 4 VAC 20-1100-30	Added	22:19 VA.R. 2628	7/1/06
4 VAC 25-31 (Forms)	Amended	22:16 VA.R. 2389	--
4 VAC 25-35 (Forms)	Amended	22:16 VA.R. 2389	--
4 VAC 25-40 (Forms)	Amended	22:16 VA.R. 2389	--
4 VAC 25-130 (Forms)	Amended	22:16 VA.R. 2390	--
4 VAC 25-130-816.11	Amended	22:24 VA.R. 3587	9/6/06
4 VAC 25-130-816.64	Amended	22:24 VA.R. 3588	9/6/06
<b>Title 6. Criminal Justice and Corrections</b>			
6 VAC 20-120-80	Amended	22:20 VA.R. 2704	7/12/06
6 VAC 20-190-10 through 6 VAC 20-190-200	Repealed	22:10 VA.R. 1556-1559	2/22/06
6 VAC 20-210-10 through 6 VAC 20-210-110	Repealed	22:10 VA.R. 1561-1562	2/22/06
6 VAC 20-220-20 through 6 VAC 20-220-80	Repealed	22:10 VA.R. 1559-1560	2/22/06
6 VAC 20-240-10 through 6 VAC 20-240-120	Added	22:11 VA.R. 1764-1768	3/8/06
6 VAC 20-260-10 through 6 VAC 20-260-360 emer	Added	22:12 VA.R. 2044-2053	2/20/06-2/19/07
6 VAC 35-10-10 through 6 VAC 35-10-50	Amended	23:1 VA.R. 25-26	10/18/06
6 VAC 35-10-60	Repealed	23:1 VA.R. 26	10/18/06
6 VAC 35-10-70 through 100	Amended	23:1 VA.R. 26-27	10/18/06

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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
6 VAC 35-10-105	Added	23:1 VA.R. 27	10/18/06
6 VAC 35-10-110	Amended	23:1 VA.R. 28	10/18/06
6 VAC 35-10-120 through 6 VAC 35-10-150	Added	23:1 VA.R. 28	10/18/06
6 VAC 35-10-120	Amended	23:1 VA.R. 28	10/18/06
6 VAC 40-10-10 through 6 VAC 40-10-90	Added	22:24 VA.R. 3746-3747	10/25/06
6 VAC 40-20-10 through 6 VAC 40-20-200	Added	22:10 VA.R. 1556-1559	2/22/06
6 VAC 40-20 (Forms)	Added	22:16 VA.R. 2392	--
6 VAC 40-30-10 through 6 VAC 40-30-80	Added	22:10 VA.R. 1559-1560	2/22/06
6 VAC 40-30-10	Amended	22:21 VA.R. 2807	7/26/06
6 VAC 40-30-20	Amended	22:21 VA.R. 2807	7/26/06
6 VAC 40-30-50	Amended	22:21 VA.R. 2807	7/26/06
6 VAC 40-40-10 through 6 VAC 40-40-110	Added	22:10 VA.R. 1561-1562	2/22/06
6 VAC 40-50-10 through 6 VAC 40-50-80 emer	Added	22:23 VA.R. 3406-3407	7/1/06-6/30/07
<b>Title 8. Education</b>			
8 VAC 20-131-5	Added	22:24 VA.R. 3589	9/7/06
8 VAC 20-131-10	Amended	22:24 VA.R. 3590	9/7/06
8 VAC 20-131-20	Amended	22:24 VA.R. 3591	9/7/06
8 VAC 20-131-30	Amended	22:24 VA.R. 3591	9/7/06
8 VAC 20-131-40	Repealed	22:24 VA.R. 3592	9/7/06
8 VAC 20-131-50 through 8 VAC 20-131-110	Amended	22:24 VA.R. 3592-3598	9/7/06
8 VAC 20-131-140	Amended	22:24 VA.R. 3598	9/7/06
8 VAC 20-131-150	Amended	22:24 VA.R. 3598	9/7/06
8 VAC 20-131-160	Repealed	22:24 VA.R. 3599	9/7/06
8 VAC 20-131-170 through 8 VAC 20-131-210	Amended	22:24 VA.R. 3599-3600	9/7/06
8 VAC 20-131-240	Amended	22:24 VA.R. 3600	9/7/06
8 VAC 20-131-260 through 8 VAC 20-131-310	Amended	22:24 VA.R. 3601-3607	9/7/06
8 VAC 20-131-315	Added	22:24 VA.R. 3607	9/7/06
8 VAC 20-131-320	Repealed	22:24 VA.R. 3608	9/7/06
8 VAC 20-131-325	Amended	22:24 VA.R. 3608	9/7/06
8 VAC 20-131-330	Repealed	22:24 VA.R. 3608	9/7/06
8 VAC 20-131-340	Amended	22:24 VA.R. 3608	9/7/06
8 VAC 20-131-350	Added	22:24 VA.R. 3609	9/7/06
8 VAC 20-131-360	Added	22:24 VA.R. 3609	9/7/06
8 VAC 20-131, Appendix I	Repealed	22:24 VA.R. 3609	9/7/06
8 VAC 20-520-10	Repealed	22:21 VA.R. 2922	9/15/06
8 VAC 20-521-10 through 8 VAC 20-521-60	Added	22:21 VA.R. 2922-2924	9/15/06
8 VAC 20-521-30	Amended	22:26 VA.R. 4110	10/4/06
8 VAC 20-660-10 through 8 VAC 20-660-40	Added	22:22 VA.R. 3092-3094	8/23/06
8 VAC 40-30	Repealed	22:23 VA.R. 3281	8/24/06
8 VAC 40-31-10 through 8 VAC 40-31-320	Added	22:23 VA.R. 3281-3298	8/24/06
<b>Title 9. Environment</b>			
9 VAC 5-20-21	Amended	22:26 VA.R. 4111	10/4/06
9 VAC 5-20-203	Amended	22:23 VA.R. 3299	9/1/06
9 VAC 5-20-204	Amended	22:23 VA.R. 3299	9/1/06
9 VAC 5-20-206	Amended	22:26 VA.R. 4114	10/4/06
9 VAC 5-40-300	Amended	22:26 VA.R. 4115	10/4/06
9 VAC 5-40-5060	Amended	22:26 VA.R. 4115	10/4/06
9 VAC 5-40-5200	Amended	22:26 VA.R. 4116	10/4/06
9 VAC 5-40-5600	Amended	23:1 VA.R. 29	10/18/06
9 VAC 5-40-5610	Amended	23:1 VA.R. 29	10/18/06
9 VAC 5-40-5620	Amended	23:1 VA.R. 31	10/18/06



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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
9 VAC 5-40-5630	Amended	23:1 VA.R. 31	10/18/06
9 VAC 5-40-5631	Amended	23:1 VA.R. 33	10/18/06
9 VAC 5-40-5641	Amended	23:1 VA.R. 33	10/18/06
9 VAC 5-40-5700	Amended	22:26 VA.R. 4116	10/4/06
9 VAC 5-40-5720	Amended	22:26 VA.R. 4117	10/4/06
9 VAC 5-40-5750	Amended	22:26 VA.R. 4118	10/4/06
9 VAC 5-40-6970	Amended	22:26 VA.R. 4118	10/4/06
9 VAC 5-40-7050	Amended	22:26 VA.R. 4118	10/4/06
9 VAC 5-40-7120	Amended	22:26 VA.R. 4119	10/4/06
9 VAC 5-40-7130	Amended	22:26 VA.R. 4119	10/4/06
9 VAC 5-40-7140	Amended	22:26 VA.R. 4122	10/4/06
9 VAC 5-40-7210	Amended	22:26 VA.R. 4124	10/4/06
9 VAC 5-40-7240	Amended	22:26 VA.R. 4124	10/4/06
9 VAC 5-40-7250	Amended	22:26 VA.R. 4124	10/4/06
9 VAC 5-40-7260	Amended	22:26 VA.R. 4125	10/4/06
9 VAC 5-40-7270	Amended	22:26 VA.R. 4136	10/4/06
9 VAC 5-40-7300	Amended	22:26 VA.R. 4139	10/4/06
9 VAC 5-40-7330	Amended	22:26 VA.R. 4140	10/4/06
9 VAC 5-40-7360	Amended	22:26 VA.R. 4140	10/4/06
9 VAC 5-40-7800	Amended	22:26 VA.R. 4141	10/4/06
9 VAC 5-40-7880	Amended	22:26 VA.R. 4141	10/4/06
9 VAC 5-50-250	Amended	22:23 VA.R. 3301	9/1/06
9 VAC 5-50-270	Amended	22:23 VA.R. 3302	9/1/06
9 VAC 5-50-280	Amended	22:23 VA.R. 3302	9/1/06
9 VAC 5-80-1100	Amended	22:23 VA.R. 3302	9/1/06
9 VAC 5-80-1110	Amended	22:23 VA.R. 3303	9/1/06
9 VAC 5-80-1310	Repealed	22:23 VA.R. 3308	9/1/06
9 VAC 5-80-1605	Added	22:23 VA.R. 3309	9/1/06
9 VAC 5-80-1615	Added	22:23 VA.R. 3310	9/1/06
9 VAC 5-80-1625	Added	22:23 VA.R. 3321	9/1/06
9 VAC 5-80-1635	Added	22:23 VA.R. 3321	9/1/06
9 VAC 5-80-1645	Added	22:23 VA.R. 3322	9/1/06
9 VAC 5-80-1655	Added	22:23 VA.R. 3322	9/1/06
9 VAC 5-80-1665	Added	22:23 VA.R. 3322	9/1/06
9 VAC 5-80-1675	Added	22:23 VA.R. 3322	9/1/06
9 VAC 5-80-1685	Added	22:23 VA.R. 3322	9/1/06
9 VAC 5-80-1695	Added	22:23 VA.R. 3323	9/1/06
9 VAC 5-80-1700	Repealed	22:23 VA.R. 3324	9/1/06
9 VAC 5-80-1705	Added	22:23 VA.R. 3324	9/1/06
9 VAC 5-80-1710	Repealed	22:23 VA.R. 3324	9/1/06
9 VAC 5-80-1715	Added	22:23 VA.R. 3324	9/1/06
9 VAC 5-80-1720	Repealed	22:23 VA.R. 3324	9/1/06
9 VAC 5-80-1725	Added	22:23 VA.R. 3324	9/1/06
9 VAC 5-80-1730	Repealed	22:23 VA.R. 3324	9/1/06
9 VAC 5-80-1735	Added	22:23 VA.R. 3324	9/1/06
9 VAC 5-80-1740	Repealed	22:23 VA.R. 3325	9/1/06
9 VAC 5-80-1745	Added	22:23 VA.R. 3325	9/1/06
9 VAC 5-80-1750	Repealed	22:23 VA.R. 3325	9/1/06
9 VAC 5-80-1755	Added	22:23 VA.R. 3325	9/1/06
9 VAC 5-80-1760	Repealed	22:23 VA.R. 3325	9/1/06
9 VAC 5-80-1765	Added	22:23 VA.R. 3325	9/1/06

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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
9 VAC 5-80-1770	Repealed	22:23 VA.R. 3327	9/1/06
9 VAC 5-80-1775	Added	22:23 VA.R. 3327	9/1/06
9 VAC 5-80-1780	Repealed	22:23 VA.R. 3328	9/1/06
9 VAC 5-80-1785	Added	22:23 VA.R. 3328	9/1/06
9 VAC 5-80-1790	Repealed	22:23 VA.R. 3329	9/1/06
9 VAC 5-80-1795	Added	22:23 VA.R. 3329	9/1/06
9 VAC 5-80-1800	Repealed	22:23 VA.R. 3329	9/1/06
9 VAC 5-80-1805	Added	22:23 VA.R. 3329	9/1/06
9 VAC 5-80-1810	Repealed	22:23 VA.R. 3329	9/1/06
9 VAC 5-80-1815	Added	22:23 VA.R. 3329	9/1/06
9 VAC 5-80-1820	Repealed	22:23 VA.R. 3329	9/1/06
9 VAC 5-80-1825	Added	22:23 VA.R. 3329	9/1/06
9 VAC 5-80-1830	Repealed	22:23 VA.R. 3330	9/1/06
9 VAC 5-80-1835	Added	22:23 VA.R. 3330	9/1/06
9 VAC 5-80-1840	Repealed	22:23 VA.R. 3332	9/1/06
9 VAC 5-80-1845	Added	22:23 VA.R. 3332	9/1/06
9 VAC 5-80-1850	Repealed	22:23 VA.R. 3334	9/1/06
9 VAC 5-80-1855	Added	22:23 VA.R. 3334	9/1/06
9 VAC 5-80-1860	Repealed	22:23 VA.R. 3335	9/1/06
9 VAC 5-80-1865	Added	22:23 VA.R. 3335	9/1/06
9 VAC 5-80-1870 through 9 VAC 5-80-1920	Repealed	22:23 VA.R. 3340	9/1/06
9 VAC 5-80-1925	Added	22:23 VA.R. 3340	9/1/06
9 VAC 5-80-1930	Repealed	22:23 VA.R. 3341	9/1/06
9 VAC 5-80-1935	Added	22:23 VA.R. 3341	9/1/06
9 VAC 5-80-1940	Repealed	22:23 VA.R. 3341	9/1/06
9 VAC 5-80-1945	Added	22:23 VA.R. 3341	9/1/06
9 VAC 5-80-1950	Repealed	22:23 VA.R. 3342	9/1/06
9 VAC 5-80-1955	Added	22:23 VA.R. 3342	9/1/06
9 VAC 5-80-1960	Repealed	22:23 VA.R. 3342	9/1/06
9 VAC 5-80-1965	Added	22:23 VA.R. 3342	9/1/06
9 VAC 5-80-1970	Repealed	22:23 VA.R. 3342	9/1/06
9 VAC 5-80-1975	Added	22:23 VA.R. 3342	9/1/06
9 VAC 5-80-1985	Added	22:23 VA.R. 3343	9/1/06
9 VAC 5-80-1995	Added	22:23 VA.R. 3343	9/1/06
9 VAC 5-80-2000 through 9 VAC 5-80-2020	Amended	22:23 VA.R. 3343-3355	9/1/06
9 VAC 5-80-2040 through 9 VAC 5-80-2070	Amended	22:23 VA.R. 3355-3358	9/1/06
9 VAC 5-80-2090	Amended	22:23 VA.R. 3358	9/1/06
9 VAC 5-80-2091	Added	22:23 VA.R. 3358	9/1/06
9 VAC 5-80-2110 through 9 VAC 5-80-2140	Amended	22:23 VA.R. 3359-3362	9/1/06
9 VAC 5-80-2141 through 9 VAC 5-80-2143	Added	22:23 VA.R. 3362-3366	9/1/06
9 VAC 5-80-2144	Added	22:23 VA.R. 3367	9/1/06
9 VAC 5-80-2180	Amended	22:23 VA.R. 3372	9/1/06
9 VAC 5-80-2200 through 9 VAC 5-80-2240	Amended	22:23 VA.R. 3373-3375	9/1/06
9 VAC 20-60-18	Amended	22:23 VA.R. 3375	8/23/06
9 VAC 20-170-70	Amended	22:21 VA.R. 2808	7/26/06
9 VAC 25-31-10	Amended	22:24 VA.R. 3610	9/6/06
9 VAC 25-31-30	Amended	22:24 VA.R. 3619	9/6/06
9 VAC 25-31-80	Amended	22:24 VA.R. 3620	9/6/06
9 VAC 25-31-100	Amended	22:24 VA.R. 3620	9/6/06
9 VAC 25-31-165	Added	22:24 VA.R. 3637	9/6/06
9 VAC 25-31-220	Amended	22:24 VA.R. 3651	9/6/06

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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
9 VAC 25-31-290	Amended	22:24 VA.R. 3656	9/6/06
9 VAC 25-31-770	Amended	22:24 VA.R. 3657	9/6/06
9 VAC 25-31-780	Amended	22:24 VA.R. 3658	9/6/06
9 VAC 25-31-790	Amended	22:24 VA.R. 3662	9/6/06
9 VAC 25-31-800	Amended	22:24 VA.R. 3667	9/6/06
9 VAC 25-31-840	Amended	22:24 VA.R. 3670	9/6/06
9 VAC 25-31-870	Amended	22:24 VA.R. 3677	9/6/06
9 VAC 25-194-40	Amended	22:16 VA.R. 2372	5/17/06
9 VAC 25-194-70	Amended	22:16 VA.R. 2372	5/17/06
9 VAC 25-260-5	Amended	23:1 VA.R. 41	*
9 VAC 25-260-30	Amended	22:26 VA.R. 4142	*
9 VAC 25-260-30	Amended	23:1 VA.R. 38	*
9 VAC 25-260-50	Amended	23:1 VA.R. 42	*
9 VAC 25-260-187	Added	23:1 VA.R. 42	*
9 VAC 25-260-310	Amended	22:11 VA.R. 1768	1/12/06
9 VAC 25-260-310	Amended	23:1 VA.R. 44	*
9 VAC 25-260-410	Amended	22:11 VA.R. 1768	1/12/06
9 VAC 25-260-480	Amended	23:1 VA.R. 46	*
9 VAC 25-260-530	Amended	22:11 VA.R. 1768	1/12/06
9 VAC 25-660-10	Erratum	22:12 VA.R. 2063	--
9 VAC 25-660-10 through 9 VAC 25-660-100	Amended	22:21 VA.R. 2809-2824	8/1/06
9 VAC 25-660-60	Erratum	22:12 VA.R. 2063	--
9 VAC 25-660-70	Erratum	22:12 VA.R. 2063	--
9 VAC 25-660-90	Erratum	22:23 VA.R. 3424	--
9 VAC 25-660-95	Added	22:21 VA.R. 2817	8/1/06
9 VAC 25-670-10	Erratum	22:12 VA.R. 2063	--
9 VAC 25-670-10 through 9 VAC 25-670-100	Amended	22:21 VA.R. 2824-2845	8/1/06
9 VAC 25-670-70	Erratum	22:12 VA.R. 2063	--
9 VAC 25-670-95	Added	22:21 VA.R. 2833	8/1/06
9 VAC 25-670-100	Erratum	22:12 VA.R. 2063	--
9 VAC 25-680-10 through 9 VAC 25-680-100	Amended	22:21 VA.R. 2845-2866	8/1/06
9 VAC 25-680-70	Erratum	22:12 VA.R. 2063	--
9 VAC 25-680-70	Erratum	22:23 VA.R. 3424	--
9 VAC 25-680-80	Erratum	22:12 VA.R. 2063	--
9 VAC 25-680-90	Erratum	22:23 VA.R. 3424	--
9 VAC 25-680-95	Added	22:21 VA.R. 2854	8/1/06
9 VAC 25-680-100	Erratum	22:12 VA.R. 2063	--
9 VAC 25-690-10 through 9 VAC 25-690-100	Amended	22:21 VA.R. 2867-2889	8/1/06
9 VAC 25-690-30	Erratum	22:12 VA.R. 2063	--
9 VAC 25-690-50	Erratum	22:12 VA.R. 2063	--
9 VAC 25-690-70	Erratum	22:23 VA.R. 3424	--
9 VAC 25-690-95	Added	22:21 VA.R. 2876	8/1/06
9 VAC 25-690-100	Erratum	22:12 VA.R. 2063	--
9 VAC 25-720-60	Erratum	22:12 VA.R. 2064	--
9 VAC 25-720-110	Amended	22:16 VA.R. 2378	5/17/06
9 VAC 25-720-120	Erratum	22:12 VA.R. 2064	--
9 VAC 25-780-30	Amended	22:21 VA.R. 2889	7/26/06

\* Upon filing notice of EPA approval with the Registrar of Regulations.

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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
<b>Title 10. Finance and Financial Institutions</b>			
10 VAC 5-160-10	Amended	22:18 VA.R. 2514	9/1/06
10 VAC 5-160-20	Amended	22:18 VA.R. 2514	9/1/06
10 VAC 5-160-30	Amended	22:18 VA.R. 2515	9/1/06
10 VAC 5-160-60	Added	22:18 VA.R. 2516	9/1/06
10 VAC 5-200-80	Amended	22:11 VA.R. 1769	3/1/06
<b>Title 11. Gaming</b>			
11 VAC 5-20-200	Amended	22:25 VA.R. 3907	11/6/06
11 VAC 5-20-210 through 11 VAC 5-20-520	Repealed	22:25 VA.R. 3907-3914	11/6/06
11 VAC 10-20-240	Amended	22:11 VA.R. 1771	3/8/06
11 VAC 10-20-260	Amended	22:15 VA.R. 2281	3/7/06
11 VAC 10-70-20	Amended	22:20 VA.R. 2705	5/19/06-9/4/06
11 VAC 10-70-20	Amended	22:25 VA.R. 3916	11/4/06
11 VAC 10-70-20	Amended	22:26 VA.R. 4144	9/4/06-11/3/06
11 VAC 10-70-30	Amended	22:20 VA.R. 2706	5/19/06-9/4/06
11 VAC 10-70-30	Amended	22:25 VA.R. 3917	11/4/06
11 VAC 10-70-30	Amended	22:26 VA.R. 4144	9/4/06-11/3/06
11 VAC 10-70-40	Amended	22:20 VA.R. 2706	5/19/06-9/4/06
11 VAC 10-70-40	Amended	22:25 VA.R. 3917	11/4/06
11 VAC 10-70-40	Amended	22:26 VA.R. 4144	9/4/06-11/3/06
11 VAC 10-70-50	Repealed	22:20 VA.R. 2706	5/19/06-9/4/06
11 VAC 10-70-50	Repealed	22:25 VA.R. 3917	11/4/06
11 VAC 10-70-50	Repealed	22:26 VA.R. 4144	9/4/06-11/3/06
11 VAC 10-70-60	Amended	22:20 VA.R. 2706	5/19/06-9/4/06
11 VAC 10-70-60 through 11 VAC 10-70-90	Amended	22:25 VA.R. 3917-3918	11/4/06
11 VAC 10-70-60	Amended	22:26 VA.R. 4144	9/4/06-11/3/06
11 VAC 10-70-70	Amended	22:20 VA.R. 2707	5/19/06-9/4/06
11 VAC 10-70-70	Amended	22:26 VA.R. 4145	9/4/06-11/3/06
11 VAC 10-70-80	Amended	22:20 VA.R. 2707	5/19/06-9/4/06
11 VAC 10-70-80	Amended	22:26 VA.R. 4146	9/4/06-11/3/06
11 VAC 10-70-90	Amended	22:20 VA.R. 2707	5/19/06-9/4/06
11 VAC 10-70-90	Amended	22:26 VA.R. 4146	9/4/06-11/3/06
11 VAC 10-70-170	Amended	22:20 VA.R. 2708	5/19/06-9/4/06
11 VAC 10-70-170	Amended	22:25 VA.R. 3918	11/4/06
11 VAC 10-70-170	Amended	22:26 VA.R. 4146	9/4/06-11/3/06
11 VAC 10-90-10	Amended	22:20 VA.R. 2708	5/19/06-9/4/06
11 VAC 10-90-10	Amended	22:25 VA.R. 3919	11/4/06
11 VAC 10-90-10	Amended	22:26 VA.R. 4146	9/4/06-11/3/06
11 VAC 10-90-30	Amended	22:20 VA.R. 2708	5/19/06-9/4/06
11 VAC 10-90-30	Amended	22:25 VA.R. 3919	11/4/06
11 VAC 10-90-30	Amended	22:26 VA.R. 4146	9/4/06-11/3/06
11 VAC 10-90-50	Amended	22:20 VA.R. 2708	5/19/06-9/4/06
11 VAC 10-90-50	Amended	22:25 VA.R. 3919	11/4/06
11 VAC 10-90-50	Amended	22:26 VA.R. 4146	9/4/06-11/3/06
11 VAC 15-22-10 through 11 VAC 15-22-80	Amended	22:22 VA.R. 3095-3104	8/9/06
11 VAC 15-22-110	Amended	22:22 VA.R. 3104	8/9/06
11 VAC 15-22-120	Amended	22:22 VA.R. 3105	8/9/06
11 VAC 15-31-10 through 11 VAC 15-31-60	Amended	22:22 VA.R. 3106-3112	8/9/06
<b>Title 12. Health</b>			
12 VAC 5-480-10 through 12 VAC 5-480-8920	Repealed	22:25 VA.R. 3877	9/20/06

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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
12 VAC 5-481-10 through 12 VAC 5-481-3670	Added	22:25 VA.R. 3877	9/20/06
12 VAC 5-590-10	Amended	22:24 VA.R. 3677	9/6/06
12 VAC 5-590-370	Amended	22:15 VA.R. 2282	5/3/06
12 VAC 5-590-370	Amended	22:24 VA.R. 3683	9/6/06
12 VAC 5-590-400	Amended	22:15 VA.R. 2306	5/3/06
12 VAC 5-590-410	Amended	22:15 VA.R. 2307	5/3/06
12 VAC 5-590-410	Amended	22:24 VA.R. 3708	9/6/06
12 VAC 5-590-440	Amended	22:15 VA.R. 2310	5/3/06
12 VAC 5-590-440	Amended	22:24 VA.R. 3711	9/6/06
12 VAC 5-590-505	Added	23:1 VA.R. 47	10/18/06
12 VAC 5-590-530	Amended	22:21 VA.R. 2890	7/26/06
12 VAC 5-590, Appendix B	Amended	22:15 VA.R. 2313	5/3/06
12 VAC 5-590, Appendix N	Amended	22:15 VA.R. 2313	5/3/06
12 VAC 5-590, Appendix N	Amended	22:24 VA.R. 3717	9/6/06
12 VAC 5-590-540	Amended	22:15 VA.R. 2313	5/3/06
12 VAC 5-590-545	Amended	22:24 VA.R. 3712	9/6/06
12 VAC 5-590-820	Amended	22:24 VA.R. 3717	9/6/06
12 VAC 30-40-10	Amended	22:23 VA.R. 3376	8/23/06
12 VAC 30-40-290	Amended	22:23 VA.R. 3377	8/23/06
12 VAC 30-40-300	Amended	22:23 VA.R. 3379	8/23/06
12 VAC 30-40-360	Added	22:23 VA.R. 3385	8/23/06
12 VAC 30-50-10	Amended	22:16 VA.R. 2382	7/3/06
12 VAC 30-50-120	Amended	22:16 VA.R. 2383	7/3/06
12 VAC 30-50-140	Amended	22:16 VA.R. 2383	7/3/06
12 VAC 30-50-150	Amended	22:16 VA.R. 2385	7/3/06
12 VAC 30-50-190	Amended	22:23 VA.R. 3386	8/23/06
12 VAC 30-60-40	Amended	22:22 VA.R. 3112	8/9/06
12 VAC 30-60-350	Added	22:22 VA.R. 3112	8/9/06
12 VAC 30-70-221 emer	Amended	22:26 VA.R. 4183	9/4/06-9/3/07
12 VAC 30-70-291	Amended	22:23 VA.R. 3388	8/23/06
12 VAC 30-70-301	Amended	22:25 VA.R. 3921	11/6/06
12 VAC 30-70-425	Amended	22:23 VA.R. 3389	8/23/06
12 VAC 30-70-426	Repealed	22:23 VA.R. 3390	8/23/06
12 VAC 30-80-20	Amended	22:23 VA.R. 3390	8/23/06
12 VAC 30-80-30	Amended	22:23 VA.R. 3393	8/23/06
12 VAC 30-80-40	Amended	22:14 VA.R. 2202	5/1/06
12 VAC 30-80-190	Amended	22:14 VA.R. 2204	5/1/06
12 VAC 30-80-190 emer	Amended	22:14 VA.R. 2209	5/1/06-4/30/07
12 VAC 30-90-19	Amended	22:23 VA.R. 3395	8/23/06
12 VAC 30-90-41	Amended	22:22 VA.R. 3112	8/9/06
12 VAC 30-110-90	Amended	22:26 VA.R. 4168	11/20/06
12 VAC 30-110-370	Amended	22:26 VA.R. 4168	11/20/06
12 VAC 30-110-710	Amended	22:23 VA.R. 3385	8/23/06
12 VAC 30-110-960	Amended	22:23 VA.R. 3385	8/23/06
12 VAC 30-120-10 through 12 VAC 30-120-60	Repealed	22:10 VA.R. 1638	2/22/06
12 VAC 30-120-211	Amended	22:19 VA.R. 2629	6/28/06
12 VAC 30-120-213	Amended	22:19 VA.R. 2632	6/28/06
12 VAC 30-120-215	Amended	22:19 VA.R. 2633	6/28/06
12 VAC 30-120-215	Amended	22:24 VA.R. 3718	9/6/06
12 VAC 30-120-217	Amended	22:19 VA.R. 2637	6/28/06
12 VAC 30-120-219	Amended	22:19 VA.R. 2639	6/28/06

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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
12 VAC 30-120-221	Amended	22:19 VA.R. 2640	6/28/06
12 VAC 30-120-223	Amended	22:19 VA.R. 2641	6/28/06
12 VAC 30-120-225	Amended	22:19 VA.R. 2643	6/28/06
12 VAC 30-120-227	Amended	22:19 VA.R. 2647	6/28/06
12 VAC 30-120-229	Amended	22:19 VA.R. 2648	6/28/06
12 VAC 30-120-231	Amended	22:19 VA.R. 2649	6/28/06
12 VAC 30-120-233	Amended	22:19 VA.R. 2650	6/28/06
12 VAC 30-120-237	Amended	22:19 VA.R. 2653	6/28/06
12 VAC 30-120-241	Amended	22:19 VA.R. 2654	6/28/06
12 VAC 30-120-243	Repealed	22:19 VA.R. 2656	6/28/06
12 VAC 30-120-245	Amended	22:19 VA.R. 2658	6/28/06
12 VAC 30-120-247	Amended	22:19 VA.R. 2658	6/28/06
12 VAC 30-120-249	Amended	22:19 VA.R. 2660	6/28/06
12 VAC 30-120-280	Amended	22:26 VA.R. 4170	11/20/06
12 VAC 30-120-290	Amended	22:26 VA.R. 4172	11/20/06
12 VAC 30-120-310	Amended	22:26 VA.R. 4172	11/20/06
12 VAC 30-120-320	Amended	22:26 VA.R. 4173	11/20/06
12 VAC 30-120-380	Amended	22:23 VA.R. 3386	8/23/06
12 VAC 30-120-490 through 12 VAC 30-120-550	Repealed	22:10 VA.R. 1638	2/22/06
12 VAC 30-120-720	Amended	22:24 VA.R. 3721	9/6/06
12 VAC 30-120-900 through 12 VAC 30-120-980	Added	22:10 VA.R. 1638-1661	2/22/06
12 VAC 30-120-920	Amended	22:24 VA.R. 3724	9/6/06
12 VAC 30-141-10	Amended	22:26 VA.R. 4147	10/4/06
12 VAC 30-141-40	Amended	22:26 VA.R. 4149	10/4/06
12 VAC 30-141-100	Amended	22:26 VA.R. 4150	10/4/06
12 VAC 30-141-160	Amended	22:26 VA.R. 4151	10/4/06
12 VAC 30-141-170	Repealed	22:26 VA.R. 4152	10/4/06
12 VAC 30-141-175	Added	22:26 VA.R. 4153	10/4/06
12 VAC 30-141-200	Amended	22:23 VA.R. 3387	8/23/06
12 VAC 30-141-200	Amended	22:26 VA.R. 4155	10/4/06
12 VAC 30-141-500	Amended	22:16 VA.R. 2385	7/3/06
12 VAC 30-141-500	Amended	22:23 VA.R. 3387	8/23/06
12 VAC 30-150-40	Amended	22:25 VA.R. 3924	11/6/06
12 VAC 30-150-50	Amended	22:25 VA.R. 3925	11/6/06
12 VAC 30-150-70	Amended	22:25 VA.R. 3925	11/6/06
12 VAC 30-150-80	Amended	22:25 VA.R. 3926	11/6/06
12 VAC 30-150-90	Amended	22:25 VA.R. 3926	11/6/06
12 VAC 35-45-10	Amended	22:10 VA.R. 1684	12/30/05-12/29/06
12 VAC 35-45-70 emer	Amended	22:10 VA.R. 1685	12/30/05-12/29/06
12 VAC 35-45-80 emer	Amended	22:10 VA.R. 1685	12/30/05-12/29/06
12 VAC 35-45-210 emer	Added	22:10 VA.R. 1686	12/30/05-12/29/06
12 VAC 35-105-20 emer	Amended	22:10 VA.R. 1686	12/30/05-12/29/06
12 VAC 35-105-30 emer	Amended	22:10 VA.R. 1693	12/30/05-12/29/06
12 VAC 35-105-590 emer	Amended	22:10 VA.R. 1693	12/30/05-12/29/06
12 VAC 35-105-660 emer	Amended	22:10 VA.R. 1694	12/30/05-12/29/06
12 VAC 35-115-10 through 12 VAC 35-115-150	Amended	23:1 VA.R. 50-79	10/18/06
12 VAC 35-115-145	Added	23:1 VA.R. 76	10/18/06
12 VAC 35-115-146	Added	23:1 VA.R. 77	10/18/06
12 VAC 35-115-160	Repealed	23:1 VA.R. 79	10/18/06
12 VAC 35-115-170 through 12 VAC 35-115-250	Amended	23:1 VA.R. 79-91	10/18/06

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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
<b>Title 13. Housing</b>			
13 VAC 5-51-132	Amended	22:20 VA.R 2709	7/12/06
13 VAC 5-63-40	Amended	22:20 VA.R 2710	7/12/06
13 VAC 5-63-480	Amended	22:20 VA.R 2712	7/12/06
13 VAC 6-20-10	Amended	22:10 VA.R. 1679	4/12/06
13 VAC 6-20-80	Amended	22:10 VA.R. 1680	4/12/06
13 VAC 6-20-120	Amended	22:10 VA.R. 1680	4/12/06
13 VAC 6-20-350	Amended	22:10 VA.R. 1680	4/12/06
<b>Title 14. Insurance</b>			
14 VAC 5-30-20	Erratum	22:24 VA.R. 3755	--
14 VAC 5-30-80	Erratum	22:24 VA.R. 3755	--
14 VAC 5-260 (Forms)	Amended	22:22 VA.R. 3140	--
14 VAC 5-260 (Forms)	Erratum	22:24 VA.R. 3756	--
<b>Title 16. Labor and Employment</b>			
16 VAC 25-60-10	Amended	22:25 VA.R. 3878	9/21/06
16 VAC 25-60-30	Amended	22:25 VA.R. 3879	9/21/06
16 VAC 25-60-40	Amended	22:25 VA.R. 3879	9/21/06
16 VAC 25-60-80	Amended	22:25 VA.R. 3879	9/21/06
16 VAC 25-60-90	Amended	22:25 VA.R. 3880	9/21/06
16 VAC 25-60-100	Amended	22:25 VA.R. 3881	9/21/06
16 VAC 25-60-120 through 16 VAC 25-60-150	Amended	22:25 VA.R. 3882-3883	9/21/06
16 VAC 25-60-190	Amended	22:25 VA.R. 3883	9/21/06
16 VAC 25-60-260	Amended	22:25 VA.R. 3884	9/21/06
16 VAC 25-60-300	Amended	22:25 VA.R. 3885	9/21/06
16 VAC 25-60-320	Amended	22:25 VA.R. 3885	9/21/06
16 VAC 25-60-340	Amended	22:25 VA.R. 3886	9/21/06
16 VAC 25-90-1910.6	Amended	22:18 VA.R. 2518	6/15/06
16 VAC 25-90-1910.95	Amended	22:23 VA.R. 3396	9/1/06
16 VAC 25-90-1910.106	Amended	22:18 VA.R. 2518	6/15/06
16 VAC 25-90-1910.134	Amended	22:23 VA.R. 3396	9/1/06
16 VAC 25-90-1910.142	Amended	22:18 VA.R. 2518	6/15/06
16 VAC 25-90-1910.178	Amended	22:18 VA.R. 2517	6/15/06
16 VAC 25-90-1910.178	Amended	22:23 VA.R. 3396	9/1/06
16 VAC 25-90-1910.243	Amended	22:18 VA.R. 2518	6/15/06
16 VAC 25-90-1910.254	Amended	22:18 VA.R. 2518	6/15/06
16 VAC 25-90-1910.265	Amended	22:18 VA.R. 2518	6/15/06
16 VAC 25-90-1910.266	Amended	22:23 VA.R. 3396	9/1/06
16 VAC 25-90-1910.441	Repealed	22:23 VA.R. 3396	9/1/06
16 VAC 25-90-1910.1000	Amended	22:18 VA.R. 2519	6/15/06
16 VAC 25-90-1910.1000	Amended	22:23 VA.R. 3396	9/1/06
16 VAC 25-90-1910.1001	Amended	22:23 VA.R. 3396	9/1/06
16 VAC 25-90-1910.1017	Amended	22:23 VA.R. 3396	9/1/06
16 VAC 25-90-1910.1018	Amended	22:23 VA.R. 3396	9/1/06
16 VAC 25-90-1910.1020	Amended	22:23 VA.R. 3396	9/1/06
16 VAC 25-90-1910.1025	Amended	22:23 VA.R. 3396	9/1/06
16 VAC 25-90-1910.1026	Added	22:18 VA.R. 2519	6/15/06
16 VAC 25-90-1910.1027	Amended	22:23 VA.R. 3396	9/1/06
16 VAC 25-90-1910.1028	Amended	22:23 VA.R. 3396	9/1/06
16 VAC 25-90-1910.1029	Amended	22:23 VA.R. 3396	9/1/06
16 VAC 25-90-1910.1030	Amended	22:23 VA.R. 3396	9/1/06

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16 VAC 25-90-1910.1043	Amended	22:23 VA.R. 3396	9/1/06
16 VAC 25-90-1910.1045	Amended	22:23 VA.R. 3396	9/1/06
16 VAC 25-90-1910.1047	Amended	22:23 VA.R. 3396	9/1/06
16 VAC 25-90-1910.1048	Amended	22:23 VA.R. 3396	9/1/06
16 VAC 25-90-1910.1050	Amended	22:23 VA.R. 3396	9/1/06
16 VAC 25-90-1910.1051	Amended	22:23 VA.R. 3396	9/1/06
16 VAC 25-90-1910.1052	Amended	22:23 VA.R. 3396	9/1/06
16 VAC 25-90-1910.1450	Amended	22:23 VA.R. 3396	9/1/06
16 VAC 25-100-1915.1000	Amended	22:18 VA.R. 2519	6/15/06
16 VAC 25-100-1915.1001	Amended	22:23 VA.R. 3396	9/1/06
16 VAC 25-100-1915.1026	Added	22:18 VA.R. 2519	6/15/06
16 VAC 25-120-1917.1	Amended	22:18 VA.R. 2519	6/15/06
16 VAC 25-130-1918.1	Amended	22:18 VA.R. 2519	6/15/06
16 VAC 25-175-1926, Appendix B of Subpart R	Amended	22:18 VA.R. 2520	6/15/06
16 VAC 25-175-1926, Appendix A to Subpart W	Added	22:18 VA.R. 2520	6/15/06
16 VAC 25-175-1926.55	Added	22:18 VA.R. 2519	6/15/06
16 VAC 25-175-1926.60	Amended	22:23 VA.R. 3396	9/1/06
16 VAC 25-175-1926.62	Amended	22:23 VA.R. 3396	9/1/06
16 VAC 25-175-1926.754	Amended	22:18 VA.R. 2520	6/15/06
16 VAC 25-175-1926.754	Amended	22:23 VA.R. 3396	9/1/06
16 VAC 25-175-1926.1002	Amended	22:18 VA.R. 2520	6/15/06
16 VAC 25-175-1926.1003	Amended	22:18 VA.R. 2520	6/15/06
16 VAC 25-175-1926.1092	Repealed	22:23 VA.R. 3396	9/1/06
16 VAC 25-175-1926.1101	Amended	22:23 VA.R. 3396	9/1/06
16 VAC 25-175-1926.1126	Added	22:18 VA.R. 2519	6/15/06
16 VAC 25-175-1926.1127	Amended	22:23 VA.R. 3396	9/1/06
16 VAC 25-190-1928, Appendix B to Subpart C	Added	22:18 VA.R. 2520	6/15/06
16 VAC 25-190-1928.51	Amended	22:18 VA.R. 2520	6/15/06
16 VAC 25-190-1928.52	Added	22:18 VA.R. 2520	6/15/06
16 VAC 25-190-1928.53, Appendix B to Subpart C	Added	22:18 VA.R. 2520	6/15/06
<b>Title 17. Libraries and Cultural Resources</b>			
17 VAC 10-30-10 through 17 VAC 10-30-160	Added	22:13 VA.R. 2132-2140	4/5/06
<b>Title 18. Professional and Occupational Licensing</b>			
18 VAC 5-21-10 through 18 VAC 5-21-40	Amended	22:22 VA.R. 3113-3118	8/9/06
18 VAC 5-21-20	Amended	22:22 VA.R. 3136	9/23/06
18 VAC 5-21-170	Amended	22:22 VA.R. 3118	8/9/06
18 VAC 10-20-10	Amended	23:1 VA.R. 96	2/1/07
18 VAC 10-20-15	Amended	23:1 VA.R. 97	2/1/07
18 VAC 10-20-17	Added	23:1 VA.R. 97	2/1/07
18 VAC 10-20-20	Amended	23:1 VA.R. 97	2/1/07
18 VAC 10-20-25	Added	23:1 VA.R. 98	2/1/07
18 VAC 10-20-30	Repealed	23:1 VA.R. 98	2/1/07
18 VAC 10-20-60	Repealed	23:1 VA.R. 99	2/1/07
18 VAC 10-20-35 through 18 VAC 10-20-55	Amended	23:1 VA.R. 98-99	2/1/07
18 VAC 10-20-70	Amended	23:1 VA.R. 99	2/1/07
18 VAC 10-20-75	Amended	23:1 VA.R. 99	2/1/07
18 VAC 10-20-80	Repealed	23:1 VA.R. 99	2/1/07
18 VAC 10-20-85	Added	23:1 VA.R. 99	2/1/07
18 VAC 10-20-90 through 18 VAC 10-20-420	Amended	23:1 VA.R. 99-110	2/1/07
18 VAC 10-20-440 through 18 VAC 10-20-560	Amended	23:1 VA.R. 110-113	2/1/07
18 VAC 10-20-565	Repealed	23:1 VA.R. 114	2/1/07



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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
18 VAC 10-20-570 through 18 VAC 10-20-620	Amended	23:1 VA.R. 113-116	2/1/07
18 VAC 10-20-625	Repealed	23:1 VA.R. 116	2/1/07
18 VAC 10-20-630 through 18 VAC 10-20-660	Amended	23:1 VA.R. 116-117	2/1/07
18 VAC 10-20-665	Repealed	23:1 VA.R. 117	2/1/07
18 VAC 10-20-670 through 18 VAC 10-20-795	Amended	23:1 VA.R. 117-122	2/1/07
18 VAC 25-21-70	Amended	22:26 VA.R. 4155	11/1/06
18 VAC 25-21 (Forms)	Amended	22:26 VA.R. 4155	--
18 VAC 30-20-80	Amended	22:14 VA.R. 2205	4/19/06
18 VAC 30-20-80 emer	Amended	22:26 VA.R. 4186	9/1/06-8/31/07
18 VAC 30-20-170 emer	Amended	22:26 VA.R. 4186	9/1/06-8/31/07
18 VAC 30-20-171 emer	Added	22:26 VA.R. 4186	9/1/06-8/31/07
18 VAC 41-30-10 through 18 VAC 41-30-250	Added	23:1 VA.R. 124-131	11/1/06
18 VAC 41-50-10 through 18 VAC 41-50-420	Added	22:25 VA.R. 3887-3900	10/1/06
18 VAC 50-22-40 emer	Amended	23:1 VA.R. 131	8/21/06-8/20/07
18 VAC 50-22-50 emer	Amended	23:1 VA.R. 132	8/21/06-8/20/07
18 VAC 50-22-60 emer	Amended	23:1 VA.R. 133	8/21/06-8/20/07
18 VAC 50-22-300 through 18 VAC 50-22-350 emer	Added	23:1 VA.R. 134	8/21/06-8/20/07
18 VAC 60-20-10	Amended	22:23 VA.R. 3397	8/23/06
18 VAC 60-20-20	Amended	22:23 VA.R. 3398	8/23/06
18 VAC 60-20-30	Amended	22:15 VA.R. 2320	5/3/06
18 VAC 60-20-71	Added	22:23 VA.R. 3399	8/23/06
18 VAC 60-20-100	Amended	22:24 VA.R. 3749	10/23/06
18 VAC 60-20-105	Amended	22:23 VA.R. 3399	8/23/06
18 VAC 60-20-106	Amended	22:23 VA.R. 3399	8/23/06
18 VAC 60-20-108	Amended	22:26 VA.R. 4175	11/18/06
18 VAC 60-20-210	Amended	22:23 VA.R. 3400	8/23/06
18 VAC 60-20-230	Amended	22:23 VA.R. 3400	8/23/06
18 VAC 65-20-60	Amended	22:21 VA.R. 2897	7/26/06
18 VAC 65-20-110	Amended	22:12 VA.R. 2036	3/22/06
18 VAC 65-20-500	Amended	22:21 VA.R. 2897	7/26/06
18 VAC 65-20-580	Amended	22:21 VA.R. 2898	7/26/06
18 VAC 65-40-10	Amended	22:21 VA.R. 2898	7/26/06
18 VAC 65-40 (Forms)	Amended	22:21 VA.R. 2900	--
18 VAC 65-40-40	Amended	22:12 VA.R. 2036	3/22/06
18 VAC 65-40-40	Amended	22:21 VA.R. 2898	7/26/06
18 VAC 65-40-90	Amended	22:21 VA.R. 2898	7/26/06
18 VAC 65-40-110	Amended	22:21 VA.R. 2898	7/26/06
18 VAC 65-40-130	Amended	22:21 VA.R. 2899	7/26/06
18 VAC 65-40-160	Amended	22:21 VA.R. 2899	7/26/06
18 VAC 65-40-180	Amended	22:21 VA.R. 2899	7/26/06
18 VAC 65-40-201	Amended	22:21 VA.R. 2899	7/26/06
18 VAC 65-40-220	Amended	22:21 VA.R. 2899	7/26/06
18 VAC 65-40-280	Amended	22:21 VA.R. 2899	7/26/06
18 VAC 65-40-300	Amended	22:21 VA.R. 2899	7/26/06
18 VAC 65-40-320	Amended	22:21 VA.R. 2899	7/26/06
18 VAC 65-40-330	Amended	22:21 VA.R. 2899	7/26/06
18 VAC 65-40-340	Amended	22:21 VA.R. 2899	7/26/06
18 VAC 70-20 (Forms)	Amended	22:21 VA.R. 2911	--
18 VAC 70-20-10	Amended	22:21 VA.R. 2908	8/1/06
18 VAC 70-20-20	Repealed	22:21 VA.R. 2908	8/1/06
18 VAC 70-20-30	Amended	22:21 VA.R. 2908	8/1/06

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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
18 VAC 70-20-30	Amended	22:26 VA.R. 4156	11/1/06
18 VAC 70-20-50 through 18 VAC 70-20-90	Amended	22:21 VA.R. 2908-2910	8/1/06
18 VAC 70-20-50	Amended	22:26 VA.R. 4156	11/1/06
18 VAC 70-20-105	Added	22:21 VA.R. 2911	8/1/06
18 VAC 70-20-110	Amended	22:21 VA.R. 2911	8/1/06
18 VAC 70-20-140	Amended	22:21 VA.R. 2911	8/1/06
18 VAC 70-20-150	Amended	22:21 VA.R. 2911	8/1/06
18 VAC 70-20 (Forms)	Amended	22:26 VA.R. 4156	--
18 VAC 76-10-20	Amended	22:22 VA.R. 3120	6/19/06
18 VAC 76-10-65	Amended	22:22 VA.R. 3120	6/19/06
18 VAC 76-20-10	Amended	22:23 VA.R. 3402	8/23/06
18 VAC 76-20-20	Amended	22:23 VA.R. 3402	8/23/06
18 VAC 76-20-30	Amended	22:23 VA.R. 3402	8/23/06
18 VAC 76-20-50	Amended	22:23 VA.R. 3402	8/23/06
18 VAC 76-20-60	Amended	22:23 VA.R. 3402	8/23/06
18 VAC 76-20-70	Added	22:23 VA.R. 3403	8/23/06
18 VAC 85-10-10 through 18 VAC 85-10-110	Erratum	22:15 VA.R. 2324	--
18 VAC 85-20-22 emer	Amended	22:26 VA.R. 4187	9/1/06-8/31/07
18 VAC 85-20-122	Amended	22:26 VA.R. 4157	10/4/06
18 VAC 85-20-226 emer	Added	22:26 VA.R. 4188	9/1/06-8/31/07
18 VAC 85-20-330	Amended	22:25 VA.R. 3901	9/20/06
18 VAC 85-20-400 emer	Added	22:10 VA.R. 1695	12/21/05-12/20/06
18 VAC 85-20-410 emer	Added	22:10 VA.R. 1696	12/21/05-12/20/06
18 VAC 85-20-420 emer	Added	22:10 VA.R. 1696	12/21/05-12/20/06
18 VAC 85-40-35 emer	Amended	22:26 VA.R. 4189	9/1/06-8/31/07
18 VAC 85-40-67 emer	Added	22:26 VA.R. 4190	9/1/06-8/31/07
18 VAC 85-50-35 emer	Amended	22:26 VA.R. 4190	9/1/06-8/31/07
18 VAC 85-50-61 emer	Added	22:26 VA.R. 4191	9/1/06-8/31/07
18 VAC 85-80-26 emer	Amended	22:26 VA.R. 4191	9/1/06-8/31/07
18 VAC 85-80-73 emer	Added	22:26 VA.R. 4191	9/1/06-8/31/07
18 VAC 85-101-25 emer	Amended	22:26 VA.R. 4192	9/1/06-8/31/07
18 VAC 85-101-153 emer	Added	22:26 VA.R. 4192	9/1/06-8/31/07
18 VAC 85-110-35 emer	Amended	22:26 VA.R. 4193	9/1/06-8/31/07
18 VAC 85-110-161 emer	Added	22:26 VA.R. 4193	9/1/06-8/31/07
18 VAC 85-130-10 through 18 VAC 85-130-170 emer	Added	22:10 VA.R. 1696-1700	12/21/05-12/20/06
18 VAC 90-20-30	Amended	22:12 VA.R. 2037	3/22/06
18 VAC 90-20-120	Amended	22:21 VA.R. 2915	7/26/06
18 VAC 90-25-80	Amended	22:12 VA.R. 2037	3/22/06
18 VAC 90-30-10 emer	Amended	22:26 VA.R. 4194	9/1/06-8/31/07
18 VAC 90-30-50	Amended	22:12 VA.R. 2038	3/22/06
18 VAC 90-30-80	Amended	22:26 VA.R. 4177	11/18/06
18 VAC 90-30-120 emer	Amended	22:26 VA.R. 4195	9/1/06-8/31/07
18 VAC 90-30-121 emer	Added	22:26 VA.R. 4195	9/1/06-8/31/07
18 VAC 90-40-70	Amended	22:12 VA.R. 2038	3/22/06
18 VAC 90-50-30	Amended	22:12 VA.R. 2038	3/22/06
18 VAC 95-20-130	Amended	22:13 VA.R. 2141	4/5/06
18 VAC 95-20-220	Amended	22:26 VA.R. 4157	10/4/06
18 VAC 95-20-221	Added	22:26 VA.R. 4158	10/4/06
18 VAC 95-20-310	Amended	22:26 VA.R. 4158	10/4/06
18 VAC 95-20-330	Amended	22:26 VA.R. 4158	10/4/06
18 VAC 95-20-340	Amended	22:26 VA.R. 4159	10/4/06

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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
18 VAC 95-20-380	Amended	22:26 VA.R. 4159	10/4/06
18 VAC 95-20-390	Amended	22:26 VA.R. 4159	10/4/06
18 VAC 105-20-5	Amended	22:20 VA.R 2714	7/12/06
18 VAC 105-20-10	Amended	22:20 VA.R 2714	7/12/06
18 VAC 105-20-15	Amended	22:20 VA.R 2714	7/12/06
18 VAC 105-20-16	Amended	22:20 VA.R 2715	7/12/06
18 VAC 105-20-20	Amended	22:13 VA.R. 2141	4/5/06
18 VAC 105-20-20	Amended	22:26 VA.R. 4159	10/4/06
18 VAC 110-20-20	Amended	22:15 VA.R. 2321	5/3/06
18 VAC 110-20-20	Erratum	22:16 VA.R. 2399	--
18 VAC 110-20-20	Amended	22:24 VA.R. 3726	9/6/06
18 VAC 110-20-20	Erratum	22:25 VA.R. 3935	--
18 VAC 110-20-70	Amended	22:24 VA.R. 3751	10/23/06
18 VAC 110-20-275	Amended	22:21 VA.R. 2926	9/10/06
18 VAC 110-20-630	Amended	22:24 VA.R. 3728	9/6/06
18 VAC 110-20-640	Repealed	22:24 VA.R. 3728	9/6/06
18 VAC 110-20-660	Repealed	22:24 VA.R. 3728	9/6/06
18 VAC 110-20-670	Repealed	22:24 VA.R. 3728	9/6/06
18 VAC 110-20-710	Amended	22:21 VA.R. 2927	9/10/06
18 VAC 110-30-10	Amended	22:10 VA.R. 1662	2/22/06
18 VAC 110-30-15	Amended	22:10 VA.R. 1662	2/22/06
18 VAC 110-30-15	Amended	22:15 VA.R. 2322	5/3/06
18 VAC 110-30-15	Erratum	22:16 VA.R. 2399	--
18 VAC 110-30-20	Amended	22:10 VA.R. 1662	2/22/06
18 VAC 110-30-30	Amended	22:10 VA.R. 1662	2/22/06
18 VAC 110-30-35	Repealed	22:10 VA.R. 1662	2/22/06
18 VAC 110-30-40	Amended	22:10 VA.R. 1662	2/22/06
18 VAC 110-30-50	Amended	22:10 VA.R. 1662	2/22/06
18 VAC 110-30-80	Amended	22:10 VA.R. 1662	2/22/06
18 VAC 110-30-110	Amended	22:10 VA.R. 1662	2/22/06
18 VAC 110-30-130	Amended	22:10 VA.R. 1662	2/22/06
18 VAC 110-30-150	Amended	22:10 VA.R. 1662	2/22/06
18 VAC 110-30-170 through 18 VAC 110-30-220	Amended	22:10 VA.R. 1662	2/22/06
18 VAC 110-30-240	Amended	22:10 VA.R. 1662	2/22/06
18 VAC 110-30-260	Amended	22:10 VA.R. 1662	2/22/06
18 VAC 110-30-270	Amended	22:10 VA.R. 1662	2/22/06
18 VAC 110-50-10 through 18 VAC 110-50-150	Added	22:24 VA.R. 3729-3735	9/6/06
18 VAC 112-20-50	Amended	22:23 VA.R. 3404	8/23/06
18 VAC 112-20-65	Amended	22:23 VA.R. 3404	8/23/06
18 VAC 112-20-130	Amended	22:13 VA.R. 2141	4/5/06
18 VAC 112-20-150	Amended	22:13 VA.R. 2142	4/5/06
18 VAC 115-20-20	Amended	22:14 VA.R. 2206	4/19/06
18 VAC 115-20-106	Amended	22:12 VA.R. 2039	3/22/06
18 VAC 115-30-30	Amended	22:14 VA.R. 2206	4/19/06
18 VAC 115-40-20	Amended	22:14 VA.R. 2207	4/19/06
18 VAC 115-50-20	Amended	22:14 VA.R. 2207	4/19/06
18 VAC 115-50-96	Amended	22:12 VA.R. 2040	3/22/06
18 VAC 115-60-20	Amended	22:14 VA.R. 2207	4/19/06
18 VAC 115-60-116	Amended	22:12 VA.R. 2041	3/22/06
18 VAC 120-40-40	Amended	22:11 VA.R. 1779	4/23/06
18 VAC 120-40-50	Amended	22:11 VA.R. 1779	4/23/06

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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
18 VAC 125-20-30	Amended	22:11 VA.R. 1772	3/8/06
18 VAC 125-30-20	Amended	22:11 VA.R. 1773	3/8/06
18 VAC 150-20-100	Amended	22:21 VA.R. 2916	7/26/06
18 VAC 155-20-10	Amended	22:26 VA.R. 4160	11/1/06
18 VAC 155-20-110	Amended	22:26 VA.R. 4161	11/1/06
18 VAC 155-20-120	Amended	22:26 VA.R. 4161	11/1/06
18 VAC 155-20-160	Amended	22:26 VA.R. 4162	11/1/06
18 VAC 155-20-220	Amended	22:26 VA.R. 4163	11/1/06
18 VAC 155-20-280	Amended	22:26 VA.R. 4166	11/1/06
18 VAC 155-20 (Forms)	Amended	22:26 VA.R. 4166	--
18 VAC 160-20-10	Amended	23:1 VA.R. 136	12/1/06
18 VAC 160-20-74	Amended	23:1 VA.R. 137	12/1/06
18 VAC 160-20-76	Amended	22:26 VA.R. 4179	12/1/06
18 VAC 160-20-90	Amended	22:26 VA.R. 4180	12/1/06
18 VAC 160-20-95	Added	23:1 VA.R. 137	12/1/06
18 VAC 160-20-104	Amended	23:1 VA.R. 137	12/1/06
18 VAC 160-20-106	Amended	23:1 VA.R. 137	12/1/06
18 VAC 160-20-109	Amended	23:1 VA.R. 138	12/1/06
18 VAC 160-20-140	Amended	23:1 VA.R. 139	12/1/06
<b>Title 19. Public Safety</b>			
19 VAC 30-20-40	Amended	22:10 VA.R. 1663	3/1/06
19 VAC 30-20-80	Amended	22:10 VA.R. 1663	3/1/06
19 VAC 30-20-205	Added	22:10 VA.R. 1663	3/1/06
19 VAC 30-20-220	Amended	22:10 VA.R. 1663	3/1/06
19 VAC 30-20-250	Amended	22:10 VA.R. 1663	3/1/06
<b>Title 20. Public Utilities and Telecommunications</b>			
20 VAC 5-313-10 through 20 VAC 5-313-40	Added	22:11 VA.R. 1775-1777	1/5/06
<b>Title 22. Social Services</b>			
22 VAC 40-35-10 emer	Amended	22:26 VA.R. 4196	9/1/06-8/31/07
22 VAC 40-35-80 emer	Amended	22:26 VA.R. 4198	9/1/06-8/31/07
22 VAC 40-35-90 emer	Amended	22:26 VA.R. 4198	9/1/06-8/31/07
22 VAC 40-35-100 emer	Amended	22:26 VA.R. 4199	9/1/06-8/31/07
22 VAC 40-72-789	Erratum	22:26 VA.R. 4207	--
22 VAC 40-72-1060	Erratum	22:26 VA.R. 4207	--
22 VAC 40-90-10 through 22 VAC 40-90-40	Amended	22:22 VA.R. 3121-3122	9/1/06
22 VAC 40-141-20	Amended	22:10 VA.R. 1664	2/22/06
22 VAC 40-141-30	Amended	22:10 VA.R. 1664	2/22/06
22 VAC 40-141-80 through 22 VAC 40-141-90	Amended	22:10 VA.R. 1664-1666	2/22/06
22 VAC 40-141-110 through 22 VAC 40-141-210	Amended	22:10 VA.R. 1666-1672	2/22/06
22 VAC 40-191-10	Amended	22:22 VA.R. 3123	9/1/06
22 VAC 40-191-20	Amended	22:22 VA.R. 3125	9/1/06
22 VAC 40-191-40 through 22 VAC 40-191-70	Amended	22:22 VA.R. 3126-3131	9/1/06
22 VAC 40-191-90	Amended	22:22 VA.R. 3131	9/1/06
22 VAC 40-191-100	Amended	22:22 VA.R. 3132	9/1/06
22 VAC 40-191-120	Amended	22:22 VA.R. 3132	9/1/06
22 VAC 40-191-130	Amended	22:22 VA.R. 3132	9/1/06
22 VAC 40-191-150	Amended	22:22 VA.R. 3132	9/1/06
22 VAC 40-325-10	Amended	22:25 VA.R. 3901	10/1/06
22 VAC 40-325-20	Amended	22:25 VA.R. 3902	10/1/06
22 VAC 40-330-10 through 22 VAC 40-330-30	Repealed	22:22 VA.R. 3136-3138	9/23/06

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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
22 VAC 40-340-10	Repealed	22:22 VA.R. 3138	9/23/06
22 VAC 40-340-20	Repealed	22:22 VA.R. 3138	9/23/06
22 VAC 40-745-10 through 22 VAC 40-745-70	Amended	23:1 VA.R. 140-145	11/1/06
22 VAC 40-745-90	Amended	23:1 VA.R. 145	11/1/06
22 VAC 40-745-100	Amended	23:1 VA.R. 145	11/1/06
22 VAC 40-745-110	Amended	23:1 VA.R. 145	11/1/06
22 VAC 40-901-10	Amended	22:25 VA.R. 3903	10/1/06
22 VAC 40-901-40 through 22 VAC 40-901-90	Added	22:25 VA.R. 3903-3905	10/1/06
<b>Title 24. Transportation and Motor Vehicles</b>			
24 VAC 30-41 (Forms)	Amended	22:21 VA.R. 2921	--
24 VAC 30-41-220	Amended	22:21 VA.R. 2917	7/26/06
24 VAC 30-41-230	Amended	22:21 VA.R. 2917	7/26/06
24 VAC 30-41-290	Amended	22:21 VA.R. 2917	7/26/06
24 VAC 30-41-300	Amended	22:21 VA.R. 2918	7/26/06
24 VAC 30-41-310	Amended	22:21 VA.R. 2918	7/26/06
24 VAC 30-41-320	Amended	22:21 VA.R. 2918	7/26/06
24 VAC 30-41-430	Amended	22:21 VA.R. 2919	7/26/06
24 VAC 30-41-520	Amended	22:21 VA.R. 2920	7/26/06
24 VAC 30-41-650	Amended	22:21 VA.R. 2920	7/26/06
24 VAC 30-121-10 through 24 VAC 30-121-40	Added	22:10 VA.R. 1672-1676	2/22/06
24 VAC 30-400-10 through 24 VAC 30-400-40	Repealed	22:13 VA.R. 2142	2/14/06
24 VAC 30-401-10 through 24 VAC 30-401-40	Added	22:13 VA.R. 2142-2143	2/14/06
24 VAC 30-550	Repealed	22:24 VA.R. 3736	9/6/06
24 VAC 30-551-10 through 24 VAC 30-551-100	Added	22:24 VA.R. 3736-3744	9/6/06
24 VAC 30-600	Repealed	22:24 VA.R. 3736	9/6/06

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# NOTICES OF INTENDED REGULATORY ACTION

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## Symbol Key

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

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## TITLE 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 update the water quality standards based on new scientific information; improve permitting, monitoring and assessment programs; and fulfill the legal mandates for a three-year review of the standards.

The agency intends to hold a public hearing on the proposed action 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 5 p.m. on November 17, 2006.

**Contact:** Elleanore M. Daub, Department of Environmental Quality, P.O. Box 10009, 629 E. Main St., Richmond, VA 23240, telephone (804) 698-4111, FAX (804) 698-4116, or email emdaub@deq.virginia.gov.

VA.R. Doc. No. R06-344; Filed August 30, 2006, 8:18 a.m.

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## TITLE 12. HEALTH

### STATE BOARD OF HEALTH

#### 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 Health intends to consider **repealing** regulations entitled **12 VAC 5-610, Sewage Handling and Disposal Regulations**, and **adopting** regulations entitled **12 VAC 5-611, Onsite Sewage Regulations**. The purpose of the proposed action is to promulgate regulations based on public meetings held between January and May 2006 and related issues as determined by the board, and to include provisions to address the previously proposed allowable rock content and footprint amendments.

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

Statutory Authority: § 32.1-164 of the Code of Virginia.

Public comments may be submitted until November 3, 2006.

**Contact:** Don Alexander, Director, Division of Onsite Sewage and Water Services, Department of Health, 109 Governor St., 5th Floor, Richmond, VA 23219, telephone (804) 864-7452, FAX (804) 864-7476, or email don.alexander@vdh.virginia.gov.

VA.R. Doc. No. R06-334; Filed August 16, 2006, 10:02 a.m.

## DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

#### Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Department of Medical Assistance Services intends to consider amending regulations entitled **12 VAC 30-70, Methods and Standards for Establishing Payment Rates - Inpatient Hospital Services**. The purpose of the proposed action is to clarify the definition of Medicaid utilization.

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

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

Public comments may be submitted until October 4, 2006.

**Contact:** William Lessard, Project Manager, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 225-4593, FAX (804) 786-1680 or email william.lessard@dmas.virginia.gov.

VA.R. Doc. No. R06-317; Filed August 7, 2006, 2:46 p.m.

#### Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Department of Medical Assistance Services intends to consider amending regulations entitled **12 VAC 30-120, Waivered Services**. The purpose of the proposed action is to update the Technology Assisted Waiver Program in order to accommodate changes in the industry and to provide greater clarity to the regulations.

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

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

Public comments may be submitted until October 4, 2006.

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# Notices of Intended Regulatory Action

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**Contact:** Teja Stokes, Project Manager, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 786-0527, FAX (804) 786-1680 or email [teja.stokes@dmas.virginia.gov](mailto:teja.stokes@dmas.virginia.gov).

VA.R. Doc. No. R06-312; Filed August 7, 2006, 2:46 p.m.

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## TITLE 16. LABOR AND EMPLOYMENT

### SAFETY AND HEALTH CODES BOARD

#### Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Safety and Health Codes Board intends to consider adopting regulations entitled:

**16 VAC 25-96, Reverse Signal Procedures - Existing General Industry Standards - Off-Road Vehicles/Equipment.**

**16 VAC 25-97, Reverse Signal Procedures - General Industry - Vehicles and Equipment Not Covered by Existing Standards.**

**16 VAC 25-178, Reverse Signal Procedures - Existing Construction Industry Standards - Off-Road Vehicles and Equipment.**

**16 VAC 25-179, Reverse Signal Procedures - Construction Industry - Vehicles and Equipment Not Covered by Existing Standards.**

The purpose of the proposed action is to provide more comprehensive protection to employees in construction and general industry work zones exposed to vehicular and equipment traffic covered by §§ 1910.269(p)(1)(ii), 1926.601(b), 1926.602(a)(9)(ii), and 1926.952(a)(3) and to provide the same degree of protection to employees in similar working conditions where vehicles and machinery with obstructed views to the rear are operating and are not otherwise covered by the existing Construction Industry Standards and the General Industry Standards.

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

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

Public comments may be submitted until 5 p.m. on October 4, 2006.

**Contact:** John Crisanti, Policy and Planning Manager, Department of Labor and Industry, Powers-Taylor Bldg., 13 S. 13th St., Richmond, VA 23219, telephone (804) 786-4300, FAX (804) 786-8418, or email [john.crisanti@doli.virginia.gov](mailto:john.crisanti@doli.virginia.gov).

VA.R. Doc. No. R06-314; Filed August 8, 2006, 3:50 p.m.

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## TITLE 18. PROFESSIONAL AND OCCUPATIONAL LICENSING

### BOARD OF AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY

#### Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board of Audiology and Speech-Language Pathology intends to consider amending regulations entitled **18 VAC 30-20, Regulations Governing the Practice of Audiology and Speech-Language Pathology**. The purpose of the proposed action is to establish requirements for the issuance of provisional licensure in audiology and the supervision of such licensees.

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

Statutory Authority: § 54.1-2400 and Chapter 26 (§ 54.1-2600 et seq.) of Title 54.1 of the Code of Virginia.

Public comments may be submitted until 5 p.m. on October 4, 2006.

**Contact:** Elizabeth Young, Executive Director, Board of Audiology and Speech-Language Pathology, 3600 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9111, FAX (804) 662-9523 or email [elizabeth.young@dhp.virginia.gov](mailto:elizabeth.young@dhp.virginia.gov).

VA.R. Doc. No. R06-325; Filed August 17, 2006, 3:54 p.m.

### BOARD FOR CONTRACTORS

#### † Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board for Contractors intends to consider amending regulations entitled **18 VAC 50-22, Board for Contractors Regulations**. The purpose of the proposed action is to amend the regulations to require prelicense education as a requirement for licensure, as required by legislative action.

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

Statutory Authority: §§ 54.1-201 and 54.1-1102 of the Code of Virginia.

Public comments may be submitted until October 18, 2006.

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# Notices of Intended Regulatory Action

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**Contact:** Eric L. Olson, Assistant Director, Board for Contractors, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-2785, FAX (804) 367-2475, or email contractor@dpor.virginia.gov.

VA.R. Doc. No. R06-340; Filed August 21, 2006, 9:38 a.m.

## BOARD OF MEDICINE

### Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board of Medicine intends to consider amending regulations entitled:

**18 VAC 85-20, Regulations Governing the Practice of Medicine, Osteopathic Medicine, Podiatry, and Chiropractic.**

**18 VAC 85-40, Regulations Governing the Practice of Respiratory Care Practitioners.**

**18 VAC 85-50, Regulations Governing the Practice of Physician Assistants.**

**18 VAC 85-80, Regulations Governing the Licensure of Occupational Therapists.**

**18 VAC 85-101, Regulations Governing the Licensure of Radiologic Technologists and Radiologic Technologists-Limited.**

**18 VAC 85-110, Regulations Governing the Practice of Licensed Acupuncturists.**

The purpose of the proposed action is to set out the fees and renewal requirements for a person holding a restricted volunteer license.

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

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

Public comments may be submitted until 5 p.m. on October 4, 2006.

**Contact:** William L. Harp, M.D., Executive Director, Board of Medicine, 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9908, FAX (804) 662-9943 or email william.harp@dhp.virginia.gov.

VA.R. Doc. No. R06-337; Filed August 10, 2006, 4:02 p.m.

## BOARD OF NURSING

### Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 that the Board of Nursing intends to consider amending regulations entitled **18 VAC 90-30, Regulations Governing the Licensure of Nurse Practitioners.** The purpose of the proposed action is to implement 2006 legislation for the

practice of certified nurse midwives with the collaboration and consultation with a physician.

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

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

Public comments may be submitted until 5 p.m. on October 4, 2006.

**Contact:** Jay P. Douglas, R.N., Executive Director, Board of Nursing, 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9909, FAX (804) 662-9512 or email jay.douglas@dhp.virginia.gov.

VA.R. Doc. No. R06-341; Filed August 22, 2006, 9:10 a.m.

## REAL ESTATE APPRAISER BOARD

### Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Real Estate Appraiser Board intends to consider amending regulations entitled **18 VAC 130-20, Real Estate Appraiser Board Rules and Regulations.** The purpose of the proposed action is to make (i) changes consistent with new federal requirements, (ii) clarifying changes, and (iii) other changes that may result from the department's periodic review of the regulations.

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

Statutory Authority: §§ 54.1-201 and 54.1-2013 of the Code of Virginia.

Public comments may be submitted until October 20, 2006.

**Contact:** Christine Martine, Executive Director, Real Estate Appraiser Board, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8552, FAX (804) 367-6946, or email reappraisers@dpor.virginia.gov.

VA.R. Doc. No. R06-333; Filed August 29, 2006, 3:15 p.m.

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## TITLE 22. SOCIAL SERVICES

### STATE BOARD OF SOCIAL SERVICES

#### Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Social Services intends to consider amending regulations entitled **22 VAC 40-35, Virginia Independence Program.** The purpose of the proposed action is to implement provisions of the federal Deficit Reduction Act of 2005 that requires states to meet certain work participation rates in their Temporary Assistance for Needy Families program or face substantial penalties.



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## Notices of Intended Regulatory Action

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

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

Public comments may be submitted until October 4, 2006.

**Contact:** Mark Golden, Economic Assistance and Employment Manager, Department of Social Services, 7 N. 8th St., Richmond, VA 23219, telephone (804) 726-7385, FAX (804) 726-7356, toll-free 1-800-828-1120 or email [mark.golden@dss.virginia.gov](mailto:mark.golden@dss.virginia.gov).

VA.R. Doc. No. R06-328; Filed August 10, 2006, 1:20 p.m.



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# REGULATIONS

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For information concerning the different types of regulations, see the Information Page.

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## Symbol Key

Roman type indicates existing text of regulations. Underscored language indicates proposed new text. Language that has been stricken indicates proposed text for deletion. Brackets are used in final regulations to indicate changes from the proposed regulation.

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## TITLE 9. ENVIRONMENT

### STATE WATER CONTROL BOARD

#### Final Regulation

**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 25-820. 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 (adding 9 VAC 25-820-10 through 9 VAC 25-820-70).**

**Statutory Authority:** §§ 62.1-44.15 and 62.1-44.19:14 of the Code of Virginia.

**Effective Date:** November 1, 2006.

**Agency Contact:** Kyle Winter, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4182, FAX (804) 698-4032, or email [kiwinter@deq.virginia.gov](mailto:kiwinter@deq.virginia.gov).

#### Summary:

*This regulation establishes the registration and permitting of total nitrogen and total phosphorus loads discharged into the Chesapeake Bay Watershed in Virginia, and establishes procedures by which those loads may be exchanged among those permittees located in the respective Chesapeake Bay tributary watersheds. The regulation includes registration requirements, effluent limitations, compliance plan and schedule requirements,*

*monitoring and reporting requirements, conditions under which nutrient trading is permitted, conditions applicable to new and expanded facilities, and conditions applicable to all facilities covered under this permit. This permit differs from other VPDES general permits in that (i) the compliance schedule focuses on the aggregate performance of all of the facilities within a tributary watershed as opposed to the individual facilities themselves, (ii) the permit will be issued in addition to the individual VPDES permits that the affected facilities are already required to hold, and (iii) rather than outlining facilities that may register for permit coverage, it incorporates all VPDES dischargers by rule and requires specific categories of facilities to register for coverage under the general permit and comply with the requirements therein.*

*Changes to the regulation from publication of the proposed regulation to the final regulation include changes to definitions to resolve apparent discrepancies within the regulation, changes to the final compliance dates in the tributarywide schedule of compliance, additional requirements pertaining to the determination of load limits, additional requirements pertaining to the exchange of nutrient loads by permittees, and additional requirements pertaining to new and expanding facilities offsetting the additional nutrient loads discharged by their operations.*

#### **9 VAC 25-820-10. Definitions.**

Except as defined below, the words and terms used in this chapter shall have the meanings defined in the Virginia Pollution Discharge Elimination System (VPDES) Permit Regulation (9 VAC 25-31).

"Annual mass load of total nitrogen" (expressed in pounds per year) means the daily total nitrogen concentration (expressed as mg/l to the nearest 0.01 mg/l) multiplied by the flow volume of effluent discharged during the 24-hour period (expressed as MGD to the nearest 0.01 MGD), multiplied by 8.3438 and rounded to the nearest whole number to convert to pounds per day (lbs/day) units, then totaled for the calendar month to convert to pounds per month (lbs/mo) units, and then totaled for the calendar year to convert to pounds per year (lbs/yr) units.

"Annual mass load of total phosphorus" (expressed in pounds per year) means the daily total phosphorus concentration (expressed as mg/l to the nearest 0.01mg/l) multiplied by the flow volume of effluent discharged during the 24-hour period (expressed as MGD to the nearest 0.01 MGD) multiplied by 8.3438 and rounded to the nearest whole number to convert to pounds per day (lbs/day) units, then totaled for the calendar

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month to convert to pounds per month (lbs/mo) units, and then totaled for the calendar year to convert to pounds per year (lbs/yr) units.

"Association" means the Virginia Nutrient Credit Exchange Association authorized by § 62.1-44.19:17 of the Code of Virginia.

"Attenuation" means the rate at which nutrients are reduced through natural processes during transport in water.

"Biological nutrient removal technology" means (i) technology that will achieve an annual average total nitrogen effluent concentration of eight milligrams per liter and an annual average total phosphorus effluent concentration of one milligram per liter, or (ii) equivalent reductions in loads of total nitrogen and total phosphorus through the recycle or reuse of wastewater as determined by the department.

"Board" means the Virginia State Water Control Board or State Water Control Board.

"Delivered total nitrogen load" means the discharged mass load of total nitrogen from a point source that is adjusted by the delivery factor for that point source.

"Delivered total phosphorus load" means the discharged mass load of total phosphorus from a point source that is adjusted by the delivery factor for that point source.

"Delivery factor" means an estimate of the number of pounds of total nitrogen or total phosphorus delivered to tidal waters for every pound discharged from a permitted facility, as determined by the specific geographic location of the permitted facility, to account for attenuation that occurs during riverine transport between the permitted facility and tidal waters. Delivery factors shall be calculated using the Chesapeake Bay Program watershed model. [ For the purpose of this regulation, delivery factors with a value greater than 1.00 in the Chesapeake Bay Program watershed model shall be considered to be equal to 1.00. ]

"Department" means the Department of Environmental Quality.

"Equivalent load" means [ : ]

2,300 pounds [ ~~or more~~ ] per year of total nitrogen or 300 pounds [ ~~or more~~ ] per year of total phosphorus [ ~~for new and expanded facilities discharged by an~~ ] industrial [ facility are considered equivalent to the load discharged from sewage treatment works with a design capacity of 0.04 million gallons per day ],

5,700 pounds [ ~~or more~~ ] per year of total nitrogen or 760 pounds [ ~~or more~~ ] per year of total phosphorus discharged by an [ ~~existing~~ ] industrial facility [ ~~directly into tidal waters~~ are considered equivalent to the load discharged from sewage treatment works with a design capacity of 0.1 million gallons per day ], and

28,500 pounds [ ~~or more~~ ] per year of total nitrogen or 3,800 pounds [ ~~or more~~ ] per year of total phosphorus discharged by an [ ~~existing~~ ] industrial facility [ ~~directly to nontidal waters~~ are considered equivalent to the load discharged from sewage treatment works with a design capacity of 0.05 million gallons per day ].

"Existing facility" means a facility holding a current individual VPDES permit that has either commenced discharge from, or has received a Certificate to Construct (for sewage treatment works, or equivalent DEQ approval for discharges from industrial facilities) the treatment works used to derive its waste load allocation on or before July 1, 2005, or has a wasteload allocation listed in 9 VAC 25-720-50 C, 9 VAC 25-720-60 C, 9 VAC 25-720-70 C, 9 VAC 25-720-110 C, and 9 VAC 25-720-120 C of the Water Quality Management Planning Regulation [ ~~as of January 11, 2006~~ ].

"Expansion" or "expands" means initiating construction at an existing [ facility treatment works ] after July 1, 2005, to increase [ ~~treatment~~ design flow ] capacity, except that the term does not apply in those cases where a Certificate to Construct (for sewage treatment works, or equivalent DEQ approval for discharges from industrial facilities) was issued on or before July 1, 2005.

"Facility" means a point source discharging or proposing to discharge total nitrogen or total phosphorus to the Chesapeake Bay or its tributaries. This term does not include confined animal feeding operations, discharges of storm water, return flows from irrigated agriculture, or vessels.

"General permit" means this general permit authorized by § 62.1-44.19:14 of the Code of Virginia.

"Industrial facility" means any facility (as defined above) other than sewage treatment works.

"New discharge" means any discharge from a facility that did not commence the discharge of pollutants prior to July 1, 2005, except that the term does not apply in those cases where a Certificate to Construct (for sewage treatment works, or equivalent DEQ approval for discharges from industrial facilities) was issued to the facility on or before July 1, 2005.

"Nonsignificant discharger" means (i) a sewage treatment works discharging to the Chesapeake Bay watershed downstream of the fall line with a design capacity of less than 0.1 million gallons per day, or [ less than ] an equivalent load discharged from industrial facilities, or (ii) a sewage treatment works discharging to the Chesapeake Bay watershed upstream of the fall line with a design capacity of less than 0.5 million gallons per day, or [ less than ] an equivalent load discharged from industrial facilities.

"Offset" means to acquire an annual waste load allocation of total nitrogen or total phosphorus by a new or expanding facility to ensure that there is no net increase of nutrients into the affected tributary of the Chesapeake Bay.

"Permitted facility" means a facility authorized by this general permit to discharge total nitrogen or total phosphorus. For the sole purpose of generating point source nitrogen credits or point source phosphorus credits, "permitted facility" shall also mean the Blue Plains wastewater treatment facility operated by the District of Columbia Water and Sewer Authority.

"Permitted design capacity" or "permitted capacity" means the [ ~~annual mass load of total nitrogen or total phosphorus discharged by~~ allowable load (pounds per year) assigned to an existing facility that is ] a nonsignificant discharger, that does not have a wasteload allocation listed in 9 VAC 25-720-50 C, 9 VAC 25-720-60 C, 9 VAC 25-720-70 C, 9 VAC 25-720-110 C, and 9 VAC 25-720-120 C of the Water Quality Management Planning Regulation [ ~~as of January 11, 2006~~ ]. [ ~~This mass load~~ The permitted design capacity ] is calculated based on the design flow and installed nutrient removal technology (for sewage treatment works, or equivalent discharge from industrial facilities) at a facility that has either commenced discharge, or has received a Certificate to Construct (for sewage treatment works, or equivalent DEQ approval for discharges from industrial facilities) prior to July 1, 2005. This mass load is used for (i) determining whether the expanding facility must offset additional mass loading of nitrogen and phosphorus and (ii) determining whether the facility must acquire credits at the end of a calendar year. [ For the purpose of this regulation, facilities that have installed secondary wastewater treatment (intended to achieve BOD and TSS monthly average concentrations equal to or less than 30 milligrams per liter) are assumed to achieve an annual average total nitrogen effluent concentration of 18.7 milligrams per liter and an annual average total phosphorus effluent concentration of 2.5 milligrams per liter. Permitted design capacities for facilities that, before July 1, 2005, were required to comply with more stringent nutrient limits shall be calculated using the more stringent values. ]

"Permittee" means a person authorized by this general permit to discharge total nitrogen or total phosphorus.

"Point source nitrogen credit" means the difference between (i) the waste load allocation for a permitted facility specified as an annual mass load of total nitrogen and (ii) the monitored annual mass load of total nitrogen discharged by that facility, that clause (ii) is less than clause (i), and where the difference is adjusted by the applicable delivery factor and expressed as pounds per year of delivered total nitrogen load.

"Point source phosphorus credit" means the difference between (i) the waste load allocation for a permitted facility specified as an annual mass load of total phosphorus and (ii) the monitored annual mass load of total phosphorus discharged by that facility, where clause (ii) is less than clause (i), and where the difference is adjusted by the applicable delivery factor and expressed as pounds per year of delivered total phosphorus load.

[ Quantification level (QL)" means the lowest standard in the calibration curve for a given analyte. The QL must have a value greater than zero and be verified each day of analysis by analyzing a sample of known concentration at the selected QL with a recovery range of 70% – 130%. ]

"Registration list" means a list maintained by the department indicating all facilities that have registered for coverage under this general permit, by tributary, including their waste load allocations, permitted design capacities and delivery factors as appropriate.

"Significant discharger" means (i) a sewage treatment works discharging to the Chesapeake Bay watershed upstream of the fall line with a design capacity of 0.5 million gallons per day or greater, or an equivalent load discharged from industrial facilities; (ii) a sewage treatment works discharging to the Chesapeake Bay watershed downstream of the fall line with a design capacity of 0.1 million gallons per day or greater, or an equivalent load discharged from industrial facilities; (iii) a planned or newly expanding sewage treatment works discharging to the Chesapeake Bay watershed upstream of the fall line that is expected to be in operation by December 31, 2010, with a permitted design of 0.5 million gallons per day or greater, or an equivalent load to be discharged from industrial facilities; or (iv) a planned or newly expanding sewage treatment works discharging to the Chesapeake Bay watershed downstream of the fall line that is expected to be in operation by December 31, 2010, with a design capacity of 0.1 million gallons per day or greater, or an equivalent load to be discharged from industrial facilities.

"State-of-the-art nutrient removal technology" means (i) technology that will achieve an annual average total nitrogen effluent concentration of three milligrams per liter and an annual average total phosphorus effluent concentration of 0.3 milligrams per liter or (ii) equivalent load reductions in total nitrogen and total phosphorus through recycle or reuse of wastewater as determined by the department.

"Tributaries" means those river basins for which separate tributary strategies were prepared pursuant to § 2.2-218 of the Code of Virginia and includes the Potomac, Rappahannock, York, and James River Basins, and the Eastern Coastal Basin, which encompasses the creeks and rivers of the Eastern Shore of Virginia that are west of Route 13 and drain into the Chesapeake Bay.

"Waste load allocation" means (i) the water quality-based annual mass load of total nitrogen or annual mass load of total phosphorus allocated to individual facilities pursuant to 9 VAC 25-720-50 C, 9 VAC 25-720-60 C, 9 VAC 25-720-70 C, 9 VAC 25-720-110 C, and 9 VAC 25-720-120 C of the Water Quality Management Planning Regulation or its successor, (ii) the water quality-based annual mass load of total nitrogen or annual mass load of total phosphorus acquired pursuant to § 62.1-44.19:15 of the Code of Virginia for new or expanded facilities, or (iii) applicable total

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nitrogen or total phosphorus total maximum daily loads to restore or protect the water quality and beneficial uses of the Chesapeake Bay or its tidal tributaries.

## **9 VAC 25-820-20. Purpose, applicability, delegation of authority.**

A. This regulation fulfills the statutory requirement for the General VPDES Watershed Permit for Total Nitrogen and Total Phosphorus discharges and nutrient trading in the Chesapeake watershed issued by the board pursuant to the Clean Water Act (33 USC § 1251 et seq.) and § 62.1-44.19:14 of the Code of Virginia.

B. This general permit regulation governs facilities holding individual VPDES permits that discharge or propose to discharge total nitrogen or total phosphorus to the Chesapeake Bay or its tributaries.

C. The director may perform any act of the board provided under this regulation, except as limited by § 62.1-44.14 of the Code of Virginia.

## **9 VAC 25-820-30. Relation to existing VPDES permits issued in accordance with 9 VAC 25-31.**

A. This general permit shall control in lieu of conflicting or duplicative mass loading effluent limitations, monitoring or reporting requirements for total nitrogen and total phosphorus contained in individual VPDES permits for facilities covered by this general permit, where these requirements are based upon standards, criteria, waste load allocations, policy, or guidance established to restore or protect the water quality and beneficial uses of the Chesapeake Bay or its tidal tributaries.

B. This general permit shall not control in lieu of more stringent water quality-based effluent limitations for total nitrogen or total phosphorus in individual permits where those limitations are necessary to protect local water quality, or more stringent technology-based effluent concentration limitations in the individual permit for any facility that has installed technology for the control of nitrogen and phosphorus whether by new construction, expansion, or upgrade.

C. The compliance schedule in this general permit shall control in lieu of conflicting or duplicative schedule requirements contained in individual VPDES permits for facilities covered by this general permit, where those requirements address mass loading of total nitrogen or total phosphorus and are based upon standards, criteria, waste load allocations, policy, or guidance established to restore or protect the water quality and beneficial uses of the Chesapeake Bay or its tidal tributaries.

## **9 VAC 25-820-40. Compliance plans.**

A. Within nine months of the effective date of this regulation, every owner or operator of a facility required to submit a registration statement to the department by January 1, 2007,

shall either individually or through the Virginia Nutrient Credit Exchange Association submit compliance plans to the department for approval.

1. The compliance plans shall contain any capital projects and implementation schedules needed to achieve total nitrogen and phosphorus reductions sufficient to comply with the individual and combined waste load allocations of all the permittees in the tributary as soon as possible. Permittees submitting individual plans are not required to account for other facilities' activities.

2. As part of the compliance plan development, permittees whose facilities would have complied with their individual waste load allocations for calendar year 2005, had the allocations been effective in that year, shall either:

a. Demonstrate that the additional capital projects in subdivision 1 of this subsection are necessary to ensure continued compliance with these allocations through the applicable deadline for the tributary to which the facility discharges (Part I C of the permit), or

b. Request that their individual waste load allocations become effective on January 1, 2007. Permittees selecting this option shall be entitled to trade nutrient credits generated by their facilities and to acquire nutrient credits.

3. The compliance plans may rely on the exchange of point source credits in accordance with this general permit, but not the acquisition of credits through payments into the Water Quality Improvement Fund (§ 10.1-2128 et seq. of the Code of Virginia), to achieve compliance with the individual and combined waste load allocations in each tributary.

B. Every owner or operator of a facility required to submit a registration statement shall either individually or through the Virginia Nutrient Credit Exchange Association submit annual compliance plan updates to the department for approval as required by Part I D of this general permit.

## **9 VAC 25-820-50. Transfer of permit coverage.**

A. This general permit shall be transferred by the current permittee to a new owner or operator concurrently with the transfer of the individual permit(s) in accordance with 9 VAC 25-31-380. If the current permittee holds an aggregated waste load allocation for multiple facilities in accordance with Part I B 2 of this general permit, the current permittee shall submit a revised registration statement for any facilities retained and the new owner shall submit a registration statement for the facilities transferred.

B. All conditions of this general permit, including, but not limited to, the submittal of a registration statement, annual nutrient allocation compliance and reporting requirements, shall apply to the new owner or operator immediately upon the transfer date.

**9 VAC 25-820-60. Termination of permit coverage.**

The owner or operator shall terminate coverage under this general permit concurrently with any request for termination of the individual permit(s) in accordance with 9 VAC 25-31-370.

**9 VAC 25-820-70. General permit.**

Any owner whose registration statement is accepted by the board will receive the following general permit and shall comply with the requirements therein.

General Permit No.: VAN000000  
Effective Date: January 1, 2007  
Expiration Date: December 31, 2011

GENERAL PERMIT FOR TOTAL NITROGEN AND  
 TOTAL PHOSPHORUS DISCHARGES AND NUTRIENT  
 TRADING IN THE CHESAPEAKE WATERSHED IN  
 VIRGINIA

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, as amended, and pursuant to the State Water Control Law and regulations adopted pursuant thereto, owners of facilities holding a VPDES individual permit, with total nitrogen and/or total phosphorus discharges to the Chesapeake Bay or its tributaries, are authorized to discharge to surface waters and exchange credits for total nitrogen and/or total phosphorus.

The authorized discharge shall be in accordance with the registration statement filed with DEQ, this cover page, Part I-Special Conditions Applicable to All Facilities, Part II-Special Conditions Applicable to New and Expanded Facilities, and Part III-Conditions Applicable to All VPDES Permits, as set forth herein.

PART I  
 SPECIAL CONDITIONS APPLICABLE TO ALL  
 FACILITIES

A. Authorized activities.

1. Authorization to discharge for facilities required to register.

a. Every owner or operator of a facility required to submit a registration statement to the department by January 1, 2007, and thereafter upon the reissuance of this general permit, shall be authorized to discharge total nitrogen and total phosphorus subject to the requirements of this general permit upon the department's approval of the registration statement.

b. Any owner or operator of a facility required to submit a registration statement with the department at the time

he makes application with the department for a new discharge or expansion that is subject to an offset or technology-based requirement in Part II of this general permit, shall be authorized to discharge total nitrogen and total phosphorus subject to the requirements of this general permit upon the department's approval of the registration statement.

c. Upon the department's approval of the registration statement, a facility will be included in the registration list maintained by the department.

2. Authorization to discharge for facilities not required to register. Any facility authorized by a Virginia Pollutant Discharge Elimination System permit and not required by this general permit to submit a registration statement shall be deemed to be authorized to discharge total nitrogen and total phosphorus under this general permit at the time it is issued. Owners or operators of facilities that are deemed to be permitted under this subsection shall have no obligation under this general permit prior to submitting a registration statement and securing coverage under this general permit based upon such registration statement.

B. Waste load allocations.

1. Waste load allocations allocated to permitted facilities pursuant to 9 VAC 25-720-50 C, 9 VAC 25-720-60 C, 9 VAC 25-720-70 C, 9 VAC 25-720-110 C, and 9 VAC 25-720-120 C of the Water Quality Management Planning Regulation, or applicable total maximum daily loads, or waste load allocations acquired by new and expanding facilities to offset new or increased delivered total nitrogen and delivered total phosphorus loads from a new discharge or expansion under Part II B of this general permit, and existing loads calculated from the permitted design capacity of expanding facilities not previously covered by this general permit, shall be incorporated into the registration list maintained by the department. The waste load allocations contained in this list shall be enforceable as annual [ mass ] load limits in this general permit. Credits shall not be generated by facilities whose mass loads are derived from permitted design capacities.

2. [ Except as described in subdivision 2 d of this subsection, ] an owner or operator of two or more facilities covered by this general permit and located in the same tributary may apply for and receive an aggregated [ ~~waste mass~~ ] load [ ~~allocation limit~~ ] for [ delivered ] total nitrogen and an aggregated [ ~~waste mass~~ ] load [ ~~allocation limit~~ ] for [ delivered ] total phosphorus reflecting the total of the water quality-based total nitrogen and total phosphorus waste load allocations or permitted design capacities established for such facilities individually.

[ a. The permittee (and all of the individual facilities covered under a single registration) shall be deemed to be in compliance when the aggregate mass load discharged by the facilities is less than the aggregate load limit.

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b. The permittee will be eligible to generate credits only if the aggregate mass load discharged by the facilities is less than the total of the waste load allocations assigned to any of the affected facilities in 9 VAC 25-720-50 C, 9 VAC 25-720-60 C, 9 VAC 25-720-70 C, 9 VAC 25-720-110 C and 9 VAC 25-720-120 C of the Water Quality Management Planning Regulation.

c. ] Credits shall not be generated by [ ~~facilities whose mass loads are derived~~ permittees whose aggregated mass load limit is derived entirely ] from permitted design capacities.

[ d. The aggregation of mass load limits shall not affect any requirement to comply with local water quality-based limitations.

e. Operation under an aggregated mass load limit in accordance with this section shall not be deemed credit acquisition as described in Part I J 2 of this general permit. ]

3. An owner who consolidates two or more facilities located in the same tributary into a single regional facility may apply for and receive an aggregated mass load limit for [ delivered ] total nitrogen and an aggregated mass load limit for [ delivered ] total phosphorus, subject to the following conditions:

a. If all of the affected facilities have waste load allocations in 9 VAC 25-720-50 C, 9 VAC 25-720-60 C, 9 VAC 25-720-70 C, 9 VAC 25-720-110 C, and 9 VAC 25-720-120 C of the Water Quality Management Planning Regulation [ ~~as of January 11, 2006~~ ], the aggregate mass load limit shall be calculated by adding the waste load allocations of the affected facilities. The regional facility shall be eligible to generate credits.

b. If any, but not all, of the affected facilities has a waste load allocation in 9 VAC 25-720-50 C, 9 VAC 25-720-60 C, 9 VAC 25-720-70 C, 9 VAC 25-720-110 C, and 9 VAC 25-720-120 C of the Water Quality Management Planning Regulation [ ~~as of January 11, 2006~~ ], the aggregate mass load limit shall be calculated by adding:

(1) Waste load allocations of those facilities that have wasteload allocations in 9 VAC 25-720-50 C, 9 VAC 25-720-60 C, 9 VAC 25-720-70 C, 9 VAC 25-720-110 C, and 9 VAC 25-720-120 C of the Water Quality Management Planning Regulation [ ~~as of January 11, 2006~~ ],

(2) Permitted design capacities assigned to affected industrial facilities, and

(3) Loads from affected sewage treatment works that do not have a waste load allocation in 9 VAC 25-720-50 C, 9 VAC 25-720-60 C, 9 VAC 25-720-70 C, 9 VAC 25-720-110 C, and 9 VAC 25-720-120 C of the Water Quality Management Planning Regulation [ ~~as~~

~~of January 11, 2006~~ ], calculated by the following formulae:

Nitrogen Load [ (lbs/day) ] = flow [ ( [ ~~in gallons per day~~ expressed as MGD to the nearest 0.01 MGD ] ) x 8.0 mg/l x 8.3438 x 365 days/year

Phosphorus Load [ (lbs/day) ] = flow [ ( [ ~~in gallons per day~~ expressed as MGD to the nearest 0.01 MGD ] ) x 1.0 mg/l x 8.3438 x 365 days/year

Flows used in the preceding formulae shall be the design flow of the treatment works from which the affected facility currently discharges.

The regional facility shall be eligible to generate credits.

c. If none of the affected facilities have a waste load allocation in 9 VAC 25-720-50 C, 9 VAC 25-720-60 C, 9 VAC 25-720-70 C, 9 VAC 25-720-110 C, and 9 VAC 25-720-120 C of the Water Quality Management Planning Regulation, the aggregate mass load limit shall be calculated by adding the respective permitted design capacities for the affected facilities. The regional facility shall not be eligible to generate credits.

4. Unless otherwise noted, the nitrogen and phosphorus waste load allocations assigned to permitted facilities are considered total loads including nutrients present in the intake water from the river, as applicable. On a case-by-case basis, an industrial discharger may demonstrate to the satisfaction of the board that a portion of the nutrient load originates in its intake water. [ This demonstration shall be consistent with the assumptions and methods used to derive the allocations through the Chesapeake Bay models. ] In these cases, the board may limit the permitted discharge to the net nutrient load portion of the assigned waste load allocation.

5. Bioavailability. Unless otherwise noted, the entire nitrogen and phosphorus waste load allocations assigned to permitted facilities are considered to be bioavailable to organisms in the receiving stream. On a case-by-case basis, a discharger may demonstrate to the satisfaction of the board that a portion of the nutrient load is not bioavailable [ ; this demonstration shall not be based on the ability of the nutrient to resist degradation at the wastewater treatment plant, but instead, on the ability of the nutrient to resist degradation within a natural environment for the amount of time that it is expected to remain in the bay watershed. This demonstration shall also be consistent with the assumptions and methods used to derive the allocations through the Chesapeake Bay models ]. In these cases, the board may limit the permitted discharge to the bioavailable portion of the assigned waste load allocation.

## C. Schedule of compliance.

1. The following schedule of compliance pertaining to the load allocations for total nitrogen and total phosphorus applies to the facilities in each tributary, as listed.

[ a. ] Compliance shall be achieved as soon as possible, but no later than the following dates, [ ~~corresponding to the respective tributaries~~ subject to any compliance plan-based adjustment by the board pursuant to subdivision 1 b of this subsection ] , for each parameter:

<u>Tributary</u>	<u>Parameter</u>	<u>Final Effluent Limits Effective Date</u>
<u>James River</u>	<u>Nitrogen</u>	<u>January 1, 2011</u>
	<u>Phosphorus</u>	<u>January 1, 2011</u>
<u>Shenandoah and Potomac Rivers</u>	<u>Nitrogen</u>	<u>January 1, 2011</u>
	<u>Phosphorus</u>	<u>January 1, 2011</u>
<u>Rappahannock River</u>	<u>Nitrogen</u>	<u>January 1, 2011</u>
	<u>Phosphorus</u>	<u>January 1, 2011</u>
<u>York River</u>	<u>Nitrogen</u>	<u>January 1, 2011</u>
	<u>Phosphorus</u>	<u>January 1, 2011</u>
<u>Eastern Shore</u>	<u>Nitrogen</u>	<u>January 1, 2011</u>
	<u>Phosphorus</u>	<u>January 1, 2011</u>

[ b. Following submission of compliance plans and compliance plan updates required by 9 VAC 25-820-40, the board shall reevaluate the schedule of compliance in subdivision 1 a of this subsection, taking into account the information in the compliance plans and the factors in § 62.1-44.19:14 C 2 of the Code of Virginia. When warranted based on such information and factors, the board shall adjust the schedule in subdivision 1 a of this subsection as appropriate by modification or reissuance of this general permit. ]

2. The registration list shall contain individual dates for compliance (as defined in Part I J 1 a-b of this general permit) for dischargers, as follows:

a. Facilities that were required to submit a registration statement with the department by January 1, 2007, will have individual dates for compliance based on their respective compliance plans, that may be earlier than the basin schedule listed in subdivision 1 of this subsection.

[ b. Facilities that have waived their compliance schedules in accordance with 9 VAC 25-820-40 A 2 b shall have an individual compliance date of January 1, 2007.

c. Upon completion of the projects contained in their compliance plans, facilities may receive a revised individual compliance date of January 1 for the calendar year immediately following the year in which a Certificate to Operate was issued for the capital projects, but not later than the basin schedule listed in subdivision 1 of this subsection. ]

[ ~~b. d.~~  New and expanded facilities will have individual dates for compliance corresponding to the date that coverage under this general permit was extended to the facility.

D. Annual update of compliance plan. Every owner or operator of a facility required to submit a registration

statement shall either individually or through the Virginia Nutrient Credit Exchange Association submit updated compliance plans to the department no later than February 1 of each year. The compliance plans shall contain, at a minimum, any capital projects and implementation schedules needed to achieve total nitrogen and phosphorus reductions sufficient to comply with the individual and combined waste load allocations of all the permittees in the tributary. Compliance plans for facilities that were required to submit a registration statement with the department by January 1, 2007, may rely on the acquisition of point source credits in accordance with Part I J of this general permit, but not the acquisition of credits through payments into the Water Quality Improvement Fund, to achieve compliance with the individual and combined waste load allocations in each tributary. Compliance plans for expansions or new discharges for facilities that are required to submit a registration statement with the department may rely on the acquisition of allocation in accordance with Part II B of this general permit to achieve compliance with the individual and combined waste load allocations in each tributary. [ ~~Any change to the deadlines contained in the schedule of compliance will require modification of this general permit. ]~~

E. Monitoring requirements.

1. Discharges shall be monitored by the permittee during weekdays as specified below:

<u>STP design flow</u>	<u>&gt;20.0 MGD</u>	<u>1.0-19,999 MGD</u>	<u>0.040-0.999 MGD</u>
[ <u>Effluent</u> ] <u>TN load [ limit ] for industrial facilities</u>		<u>&gt;100,000 lb/yr</u>	<u>487-99,999 lb/yr</u>
[ <u>Effluent</u> ] <u>TP load [ limit ] for industrial facilities</u>		<u>&gt;10,000 lb/yr</u>	<u>37-9,999 lb/yr</u>
<u>Parameter</u>	<u>Sample Type and Collection Frequency</u>		
<u>Flow</u>	<u>Totalizing, Indicating and Recording</u>		
<u>Nitrogen Compounds (Total Nitrogen = TKN + NO<sub>2</sub><sup>-</sup> (as N) + NO<sub>3</sub><sup>-</sup> (as N))</u>	<u>24 HC 3 Days/Week</u>	<u>24 HC 1/Week</u>	<u>8 HC 2/Month, &gt; 7 days apart</u>
<u>Phosphorus Compounds (Total Phosphorus and Orthophosphate)</u>	<u>24 HC 3 Days/Week</u>	<u>24 HC 1/Week</u>	<u>8 HC 2/Month, &gt; 7 days apart</u>

2. Monitoring for compliance with effluent limitations shall be performed [ ~~at a location~~ in a manner ] identical to that used to determine compliance with effluent limitations established in the individual VPDES permit [ and monitoring or sampling shall be conducted according to analytical laboratory methods approved under 40 CFR Part 136 (2006), unless other test or sample collection procedures have been requested by the permittee and approved by the department in writing. Monitoring may be performed by the permittee at frequencies more stringent than listed above; however, the permittee shall report all results of such monitoring ].



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3. ~~Monitoring or sampling shall be conducted according to analytical laboratory methods approved under 40 CFR Part 136, unless other test or sample collection procedures have been requested by the permittee and approved by the department in writing.~~ Loading values reported in accordance with Part I E and F of this general permit shall be calculated and reported to the nearest pound without regard to mathematical rules of precision. ]

4. Data shall be reported on a form provided by the department, by the same date each month as is required by the facility's individual permit. The total monthly load shall be calculated in accordance with the following formula:

$$ML = ML_{avg} * d$$

where:

ML = total monthly load (lb/mo)

ML<sub>avg</sub> = monthly average load as reported on DMR (lb/d)

d = number of discharge days in the calendar month

$$[ ML_{avg} = \frac{\sum DL}{s}$$

\_\_\_\_\_ s

where:

DL = daily load = daily concentration (expressed as mg/l to the nearest 0.01 mg/l) multiplied by the flow volume of effluent discharged during the 24-hour period (expressed as MGD to the nearest 0.01 MGD), multiplied by 8.3438 and rounded to the nearest whole number to convert to pounds per day (lbs/day)

s = number of days in the calendar month in which a sample was collected and analyzed

All daily concentration data below the quantification level (QL) for the analytical method used should be treated as half the QL. All daily concentration data equal to or above the QL for the analytical method used shall be treated as it is reported. ]

The total year-to-date mass load shall be calculated in accordance with the following formula:

$$AL-YTD = \sum(\text{Jan-current month}) ML$$

where:

AL-YTD = calendar year-to-date annual load (lb/yr)

ML = total monthly load (lb/mo) as reported on DMR

## F. Annual reporting.

1. Annually, on or before February 1, the permittee shall either individually or through the Virginia Nutrient Credit Exchange Association file a report with the department,

using a reporting form supplied by the department. The report shall identify:

a. The annual mass load of total nitrogen and the annual mass load of total phosphorus discharged by each of its permitted facilities during the previous calendar year,

b. The delivered total nitrogen load and delivered total phosphorus load discharged by each of its permitted facilities during the previous year, and

c. The number of total nitrogen and total phosphorus credits for the previous calendar year to be acquired or eligible for exchange by the permittee.

The total annual mass load shall be calculated in accordance with the following formula:

$$AL = \sum(\text{Jan-Dec}) ML$$

where:

AL = calendar year annual load (lb/yr)

ML = total monthly load (lb/mo) as reported on DMR

## G. Requirement to register; exclusions.

1. The following owners or operators are required to register for coverage under this general permit:

a. Every owner or operator of an existing facility authorized by a Virginia Pollutant Discharge Elimination System permit to discharge 100,000 gallons or more per day from a sewage treatment work, or an equivalent load from an industrial facility, directly into tidal waters, or 500,000 gallons or more per day from a sewage treatment work, or an equivalent load from an industrial facility, directly into nontidal waters, shall submit a registration statement to the department by January 1, 2007, and thereafter upon the reissuance of this general permit in accordance with Part III B. The conditions of this general permit will apply to such owner and operator upon approval of a registration statement.

b. Any owner or operator of a facility authorized by a Virginia Pollutant Discharge Elimination System permit to discharge 40,000 gallons or more per day from a sewage treatment work, or an equivalent load from an industrial facility, directly into tidal or nontidal waters shall submit a registration statement with the department at the time he makes application for an individual permit with the department for a new discharge or expansion that is subject to an offset or technology-based requirement in Part II of this general permit, and thereafter upon the reissuance of this general permit in accordance with Part III B. The conditions of this general permit will apply to such owner or operator beginning on the start of the calendar year immediately following submittal of a registration statement and issuance or modification of the individual permit.

2. All other categories of discharges are excluded from registration under this general permit.

## H. Registration statement.

1. The registration statement shall contain the following information:

a. Name, mailing address and telephone number, e-mail address and fax number of the owner (and facility operator, if different from the owner) applying for permit coverage;

b. Name (or other identifier), address, city or county, contact name, phone number, e-mail address and fax number for the facility for which the registration statement is submitted;

c. VPDES permit numbers for all permits assigned to the facility;

d. If applying for an aggregated waste load allocation in accordance with Part I B 2 of this permit, list all affected facilities and the VPDES permit numbers assigned to these facilities;

e. For new and expanded facilities, a plan to offset new or increased delivered total nitrogen and delivered total phosphorus loads, including the amount of waste load allocation acquired; and

f. For existing facilities, the amount of a facility's waste load allocation transferred to or from another facility to offset new or increased delivered total nitrogen and delivered total phosphorus loads from a new discharge or expansion.

2. The registration statement shall be submitted to the DEQ Central Office, Office of Water Permit Programs.

3. An amended registration statement shall be submitted upon the acquisition or transfer of a facility's waste load allocation to offset new or increased delivered total nitrogen and delivered total phosphorus loads from a new discharge or expansion.

## I. Public notice for registration statements proposing modifications or incorporations of new waste load allocations or delivery factors.

1. All public notices issued pursuant to a proposed modification or incorporation of a (i) new waste load allocation to offset new or increased delivered total nitrogen and delivered total phosphorus loads from a new discharge or expansion, or (ii) delivery factor, shall be published once a week for two consecutive weeks in a major local newspaper of general circulation serving the locality where the facility is located informing the public that the facility intends to apply for coverage under this general permit. At a minimum, the notice shall include:

a. A statement of the owner or operator's intent to register for coverage under this general permit;

b. A brief description of the facility and its location;

c. The amount of waste load allocation that will be acquired or transferred if applicable;

d. The delivery factor for a new discharge or expansion;

e. A statement that the purpose of the public participation is to acquaint the public with the technical aspects of the facility and how the standards and the requirements of this chapter will be met, to identify issues of concern, to facilitate communication and to establish a dialogue between the owner or operator and persons who may be affected by the facility;

f. An announcement of a 30-day comment period, in accordance with 9 VAC 25-720-50 C, 9 VAC 25-720-60 C, 9 VAC 25-720-70 C, 9 VAC 25-720-110 C, and 9 VAC 25-720-120 C [of the Water Quality Management Planning Regulation], and the name, telephone number, and address of the owner's or operator's representative who can be contacted by the interested persons to answer questions;

g. The name, telephone number, and address of the DEQ representative who can be contacted by the interested persons to answer questions, or where comments shall be sent; and

h. The location where copies of the documentation to be submitted to the department in support of this general permit notification and any supporting documents can be viewed and copied.

2. The owner or operator shall place a copy of the documentation and support documents in a location accessible to the public in the vicinity of the proposed facility.

3. The public shall be provided 30 days to comment on the technical and the regulatory aspects of the proposal. The comment period will begin on the date the notice is published in the local newspaper.

## J. Compliance with waste load allocations.

1. Methods of compliance. The permitted facility shall comply with its waste load allocation contained in the registration list maintained by the department. The permitted facility shall be in compliance with its waste load allocation if:

a. The annual mass load is less than or equal to the applicable waste load allocation assigned to the facility in this general permit (or permitted design capacity for expanded facilities without allocations);

b. The permitted facility acquires sufficient point source nitrogen or phosphorus credits in accordance with

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subdivision 2 of this subsection; provided, however, that the acquisition of nitrogen or phosphorus credits pursuant to this section shall not alter or otherwise affect the individual waste load allocations for each permitted facility; or

c. In the event it is unable to meet the individual waste load allocation pursuant to subdivision 1 a or 1 b of this subsection, the permitted facility acquires sufficient nitrogen or phosphorus credits through payments made into the Water Quality Improvement Fund pursuant to subdivision 3 of this subsection; provided, however, that the acquisition of nitrogen or phosphorus credits pursuant to this section shall not alter or otherwise affect the individual waste load allocations for each permitted facility.

2. Credit acquisition from permitted facilities. A permittee may acquire point source nitrogen credits or point source phosphorus credits from one or more permitted facilities with waste load allocations [ in 9 VAC 25-720-50 C, 9 VAC 25-720-60 C, 9 VAC 25-720-70 C, 9 VAC 25-720-110 C and 9 VAC 25-720-120 C of the Water Quality Management Planning Regulation ], including the Blue Plains wastewater treatment facility operated by the District of Columbia Water and Sewer Authority, only if:

a. The credits are generated and applied to a compliance obligation in the same calendar year.

b. The credits are generated by one or more permitted facilities in the same tributary.

c. [ ~~Such acquisition does not result in a localized water quality exceedance~~ The exchange or acquisition of credits does not affect any requirement to comply with local water quality-based limitations ] as determined by the board.

d. The credits are acquired no later than June 1 immediately following the calendar year in which the credits are applied.

e. The credits are generated by a facility that has been constructed, and has discharged from treatment works whose design flow or equivalent industrial activity is the basis for the facility's waste load allocations (until a facility is constructed and has commenced operation, such credits are held, and may be sold, by the Water Quality Improvement Fund), and

f. No later than June 1 immediately following the calendar year in which the credits are applied, the permittee certifies on a credit exchange notification form supplied by the department that he has acquired sufficient credits to satisfy his compliance obligations. The permittee shall comply with the terms and conditions contained in the credit exchange notification form submitted to the department.

3. Credit acquisitions from the Water Quality Improvement Fund. [ ~~Permittees~~ Until such time as the board finds that no allocations are reasonably available in an individual tributary, permittees ] that cannot meet their total nitrogen or total phosphorus effluent limit may acquire nitrogen or phosphorus credits through payments made into the Virginia Water Quality Improvement Fund established in § 10.1-2128 of the Code of Virginia only if, no later than June 1 immediately following the calendar year in which the credits are [ to be ] applied, the permittee certifies on a form supplied by the department that he has diligently sought, but has been unable to acquire, sufficient credits to satisfy his compliance obligations through the acquisition of point source nitrogen or phosphorus credits with other permitted facilities in the same tributary, and that he has acquired sufficient credits to satisfy his compliance obligations through one or more payments made in accordance with the terms of this general permit. Such certification may include, but not be limited to, providing a record of solicitation or demonstration that point source allocations are not available for sale in the tributary in which the permittee is located. Payments to the Water Quality Improvement Fund shall be in the amount of \$11.06 for each pound of nitrogen and \$5.04 for each pound of phosphorus [ ; and shall be subject to the following requirements:

a. The credits are generated and applied to a compliance obligation in the same calendar year.

b. The credits are generated in the same tributary.

c. The acquisition of credits does not affect any requirement to comply with local water quality-based limitations, as determined by the board. ]

4. This general permit neither requires, nor prohibits a municipality or regional sewerage authority's development and implementation of trading programs among industrial users, which are consistent with the pretreatment regulatory requirements at 40 CFR Part 403 and the municipality's or authority's individual VPDES permit.

## PART II

### SPECIAL CONDITIONS APPLICABLE TO NEW AND EXPANDED FACILITIES

A. Offsetting mass loads discharged by new and expanded facilities.

1. An owner or operator of a new or expanded facility shall comply with the applicable requirements of this section as a condition of the facility's coverage under this general permit.

a. An owner or operator of a facility authorized by a Virginia Pollutant Discharge Elimination System permit first issued before July 1, 2005, that expands his facility to discharge 40,000 gallons or more per day, or an equivalent load, shall demonstrate to the department that

he has acquired waste load allocations sufficient to offset any increase in his delivered total nitrogen and delivered total phosphorus loads resulting from any expansion beyond his permitted capacity as of July 1, 2005.

b. An owner or operator of a facility authorized by a Virginia Pollutant Discharge Elimination System permit first issued on or after July 1, 2005, to discharge 40,000 gallons or more per day, or an equivalent load, shall demonstrate to the department that he has acquired waste load allocations sufficient to offset his delivered total nitrogen and delivered total phosphorus loads.

2. Offset calculations shall address the proposed discharge that exceeds:

a. The applicable waste load allocation assigned to the facility in this general permit, for expanding significant dischargers with a wasteload allocation listed in 9 VAC 25-720-50 C, 9 VAC 25-720-60 C, 9 VAC 25-720-70 C, 9 VAC 25-720-110 C, and 9 VAC 25-720-120 C of the Water Quality Management Planning Regulation [ ~~as of January 11, 2006~~ ];

b. The permitted design capacity, for all other expanding dischargers; and

c. Zero, for facilities with a new discharge.

[ 3. An owner or operator of multiple facilities located in the same tributary, and assigned an aggregate mass load limit in accordance with Part I B 2 of this general permit, that undertakes construction of new or expanded facilities, shall be required to acquire waste load allocations sufficient to offset any increase in delivered total nitrogen and delivered total phosphorus loads resulting from any expansion beyond the aggregate mass load limit assigned these facilities. ]

B. Acquisition of waste load allocations. Waste load allocations required by this section to offset new or increased delivered total nitrogen and delivered total phosphorus loads shall be acquired in accordance with this section.

1. Such allocations may be acquired from one or a combination of the following:

a. Acquisition of all or a portion of the waste load allocations from one or more permitted facilities, based on delivered pounds by the respective trading parties as listed by the department;

b. Acquisition of nonpoint source load allocations, using a trading ratio of two pounds reduced for every pound to be discharged, through the use of best management practices that are:

(1) Acquired through a public or private entity acting on behalf of the land owner;

(2) Calculated using [ ~~the~~ ] best management practices efficiency rates and attenuation rates, [ ~~provided by the~~

~~Department of Environmental Quality, based upon rates determined by the Department of Conservation and Recreation, and consistent where appropriate with rates utilized by the Chesapeake Bay Program as established by the latest science and relevant technical information, and approved by the board ];~~

(3) Based on [ ~~the~~ ] appropriate delivery factors, [ ~~determined by the Department of Environmental Quality, and consistent with delivery factors utilized by the Chesapeake Bay Program;~~ as established by the latest science and relevant technical information, and approved by the board ];

(4) Demonstrated to have achieved reductions beyond those already required by or funded under federal or state law, or by the Virginia tributaries strategies plans [ ~~, utilizing guidelines provided by the Department of Environmental Quality, and based upon a determination made by the Department of Conservation and Recreation~~ ]; and

(5) Included as conditions [ ~~for compliance with of~~ ] the facility's individual Virginia Pollutant Discharge Elimination System permit;

c. [ ~~Acquisition~~ Until such time as the board finds that no allocations are reasonably available in an individual tributary, acquisition ] of allocations through payments made into the Virginia Water Quality Improvement Fund established in § 10.1-2128 of the Code of Virginia; or

d. Acquisition of allocations through such other means as may be approved by the department on a case-by-case basis.

2. Acquisition of allocations is subject to the following conditions:

a. The allocations shall be generated and applied to an offset obligation in the same calendar year;

b. The allocations shall be generated in the same tributary;

c. Such acquisition does not [ ~~result in a localized water quality exceedance~~ affect any requirement to comply with local water quality-based limitations, ] as determined by the [ ~~department~~ board ];

d. The allocations are authenticated (i.e., verified to have been generated) by the permittee as required by the facility's individual Virginia Pollutant Discharge Elimination permit, utilizing procedures approved by the board, no later than February 1 immediately following the calendar year in which the allocations are applied;

e. If obtained from a permitted point source, the allocations shall be generated by a facility that has been constructed, and has discharged from treatment works

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whose design flow or equivalent industrial activity is the basis for the facility's waste load allocations; and

f. No later than June 1 [ ~~immediately following~~ in the year prior to ] the calendar year in which the allocations are [ to be ] applied, the permittee shall certify on an exchange notification form supplied by the department that he has acquired sufficient allocations to satisfy his compliance obligations. The permittee shall comply with the terms and conditions contained in the exchange notification form submitted to the department.

3. Priority of options. The board shall give priority to allocations acquired in accordance with subdivisions 1 a and 1 b of this subsection. The board shall approve allocations acquired in accordance with subdivisions 1 c and 1 d of this subsection only after the owner or operator has demonstrated that he has made a good faith effort to acquire sufficient allocations in accordance with subdivisions 1 a and 1 b of this subsection, and that such allocations are not reasonably available taking into account timing, cost and other relevant factors. Such demonstration may include, but not be limited to, providing a record of solicitation, or other demonstration that point source allocations or nonpoint source allocations are not available for sale in the tributary in which the permittee is located.

4. [ ~~Allocation~~ Annual allocation ] acquisitions from the Water Quality Improvement Fund. The cost for each pound of nitrogen and each pound of phosphorus shall be determined at the time payment is made to the WQIF, based on the higher of (i) the estimated cost of achieving a reduction of one pound of nitrogen or phosphorus at the facility that is securing the allocation, or comparable facility, for each pound of allocation acquired; or (ii) the average cost, as determined by the Department of Conservation and Recreation on an annual basis, of reducing two pounds of nitrogen or phosphorus from nonpoint sources in the same tributary for each pound of allocation acquired.

## PART III

### CONDITIONS APPLICABLE TO ALL VPDES PERMITS

A. Duty to comply. The permittee must comply with all conditions of the permit. Any permit noncompliance constitutes a violation of the law and the Clean Water Act, except that noncompliance with certain provisions of the permit may constitute a violation of the 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.

B. Duty to register for reissued general permit. If the permittee wishes to continue an activity regulated by the general permit after its expiration date, the permittee must register for coverage under the new general permit, when it is reissued by the department.

C. 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 the permit.

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

E. 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 the permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems that are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.

F. 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, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

G. Property rights. Permits do not convey any property rights of any sort, or any exclusive privilege.

H. 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 the permit or to determine compliance with the 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 law. The permittee shall also furnish to the department upon request, copies of records required to be kept by the permit, pertaining to activities related to the permitted facility.

I. Inspection and entry. The permittee shall allow the director, or an authorized representative (including an authorized contractor acting as a representative of the administrator), 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 the permit;

- 2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;
- 3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under the 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 law, any substances or parameters at any location.

J. Monitoring and records.

- 1. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
- 2. 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 the permit, and records of all data used to complete the application for the permit, for a period of at least three years from the date of the sample, measurement, report or application. 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.
- 3. 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) 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.
- 4. Monitoring results must be conducted according to test procedures approved under 40 CFR Part 136 ( [ ~~2000~~ 2006 ] ) or alternative EPA-approved methods, unless other test procedures have been specified in the permit.

K. Signatory requirements. All applications, reports, or information submitted to the department shall be signed and certified as required by 9 VAC 25-31-110.

L. Reporting requirements.

- 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 alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 9 VAC 25-31-180 A; or
- 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 in the permit, nor to notification requirements under 9 VAC 25-31-200 A 1.

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.

3. Permits are not transferable to any person except after notice to the department. The board may require modification or revocation and reissuance of permits to change the name of the permittee and incorporate such other requirements as may be necessary under the law or the Clean Water Act.

4. Monitoring results shall be reported at the intervals specified in the permit.

a. Monitoring results must be reported on a Discharge Monitoring Report (DMR) [ ~~or forms provided or specified by the department for reporting results of monitoring of sludge use or disposal practices~~ ].

b. If the permittee monitors any pollutant specifically addressed by the permit more frequently than required by the permit using test procedures approved under 40 CFR Part 136 ( [ ~~2000~~ 2006 ] ), or as specified in the permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR specified by the department.

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

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

6. If any unusual or extraordinary discharge including a bypass or upset should occur from a facility and such discharge enters or could be expected to enter state waters, the owner shall promptly notify, in no case later than 24 hours, the department by telephone after the discovery of such 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 subdivision 7 a of this

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subsection. Unusual and extraordinary discharges include but are not limited to any discharge resulting from:

- a. Unusual spillage of materials resulting directly or indirectly from processing operations;
- b. Breakdown of processing or accessory equipment;
- c. Failure or taking out of service of the treatment work or auxiliary facilities (such as sewer lines or wastewater pump stations); and
- d. Flooding or other acts of nature.

## 7. Twenty-four-hour reporting.

a. The permittee shall report any noncompliance that may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within five days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; 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 steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

b. The following shall be included as information that must be reported within 24 hours under this subdivision.

- (1) Any unanticipated bypass that exceeds any effluent limitation in the permit.
- (2) Any upset that exceeds any effluent limitation in the permit.
- (3) Violation of a maximum daily discharge limitation for any of the pollutants listed in the permit to be reported within 24 hours.

c. The board may waive the written report on a case-by-case basis for reports under this subdivision if the oral report has been received within 24 hours.

8. The permittee shall report all instances of noncompliance not reported under subdivisions 4, 5, 6, and 7 of this subsection, in writing at the time the next monitoring reports are submitted. The reports shall contain the information listed in subdivision 7 of this subsection.

9. Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the department, it shall promptly submit such facts or information.

## M. Bypass.

1. 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 assure efficient operation. These bypasses are not subject to the provisions of subdivisions 2 and 3 of this subsection.

## 2. Notice.

a. Anticipated bypass. If the permittee knows in advance of the need for a bypass, it shall submit prior notice, 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 subdivision L 7 of this section (24-hour notice).

## 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 subdivision 2 of this subsection.

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 subdivision 3 a of this subsection.

## N. Upset.

1. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of subdivision 2 of this subsection are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is 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 subdivision L 7 b (2) of this section (24-hour notice); and

d. The permittee complied with any remedial measures required under subsection D of this section.

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

NOTICE: The form used in administering 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, is listed and published below.

FORMS

Virginia Pollutant Discharge Elimination System General Permit Registration Statement for Total Nitrogen and Total Phosphorus Discharges and Nutrient Trading in the Chesapeake Watershed in Virginia, (eff. [ ~~4/06~~ 11/06 ] ).



VIRGINIA POLLUTANT DISCHARGE ELIMINATION SYSTEM  
GENERAL PERMIT REGISTRATION STATEMENT  
FOR TOTAL NITROGEN AND TOTAL PHOSPHORUS DISCHARGES AND NUTRIENT TRADING IN  
THE CHESAPEAKE WATERSHED IN VIRGINIA

**1. APPLICANT INFORMATION**

A. Name of Facility: \_\_\_\_\_

B. Facility Owner: \_\_\_\_\_

C. Owner's Mailing Address

a. Street or P.O. Box \_\_\_\_\_

b. City or Town \_\_\_\_\_ c. State \_\_ d. Zip Code \_\_\_\_\_

e. Phone Number \_\_\_\_\_ f. Fax Number \_\_\_\_\_

g. E-mail address \_\_\_\_\_

D. Facility Location: \_\_\_\_\_

Street No., Route No., or Other Identifier

County

E. Is the operator of the facility also the owner? \_\_\_ Yes \_\_\_ No  
If No, complete F. & G.

F. Name of Operator: \_\_\_\_\_

G. Operator's Mailing Address

a. Street or P.O. Box \_\_\_\_\_

b. City or Town \_\_\_\_\_ c. State \_\_ d. Zip Code \_\_\_\_\_

e. Phone Number \_\_\_\_\_ f. Fax Number \_\_\_\_\_

g. E-mail address \_\_\_\_\_

**2. FACILITY INFORMATION**

Does this facility currently have a VPDES permit? Yes \_\_\_ No \_\_\_

If no, has a permit been applied for? Yes \_\_\_ No \_\_\_

If yes to either of the above questions, provide permit number. \_\_\_\_\_

**3. AGGREGATED DISCHARGES**

If the owner or operator listed above desires to aggregate the facility's waste load allocations for total nitrogen and total phosphorus with other permitted facilities under common ownership or operation in the same tributary, list all affected facilities and the VPDES permit numbers assigned to these facilities.

Registration Statement, VPDES General Permit for Total Nitrogen and Total Phosphorus Discharges and Watershed  
Trading in the Chesapeake Watershed in Virginia

Page 1 of 2

Facility Name VPDES permit number

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

4. **TRANSFER OF ALLOCATION TO OR FROM ANOTHER FACILITY**

If the owner or operator listed above proposes the exchange of an allocation for total nitrogen or total phosphorus with other permitted facilities, list all affected facilities, the VPDES permit numbers assigned to these facilities and the delivered pounds of total nitrogen or total phosphorus proposed for exchange.

Facility	VPDES permit No.	N/P?	Delivered pounds	Acquired/transferred?
----------	------------------	------	------------------	-----------------------

_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Attach a copy of the applicable contract documentation related to the execution of these allocations.

5. **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.

Signature \_\_\_\_\_ Date: \_\_\_\_\_

Name of person(s) signing above: \_\_\_\_\_  
 (printed or typed)

Title(s): \_\_\_\_\_

**REQUIRED ATTACHMENTS FOR NEW AND EXPANDED FACILITIES**

Plan to offset new or increased delivered total nitrogen and delivered total phosphorus loads  
 Results of public participation effort including proof of publication, comments received and the owner or operator's response to comments received.

**For Department Use Only:**

Accepted/Not Accepted by: \_\_\_\_\_ Date: \_\_\_\_\_

## INSTRUCTIONS FOR COMPLETING THE REGISTRATION STATEMENT FOR

### THE GENERAL VIRGINIA POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT FOR TOTAL NITROGEN AND TOTAL PHOSPHORUS DISCHARGES AND NUTRIENT TRADING IN THE CHESAPEAKE WATERSHED IN VIRGINIA

#### WHO MUST FILE THE REGISTRATION STATEMENT

The following owners or operators are required to register for coverage under this general permit:

1. Every owner or operator of a facility authorized by a Virginia Pollutant Discharge Elimination System permit to discharge 100,000 gallons or more per day, or an equivalent load, directly into tidal waters, or 500,000 gallons or more per day, or an equivalent load, directly into nontidal waters, shall submit a registration statement to the Department by January 1, 2007.
2. Any owner or operator of a facility authorized by a Virginia Pollutant Discharge Elimination System permit to discharge 40,000 gallons or more per day, or an equivalent load, directly into tidal or nontidal waters shall submit a registration statement with the Department at the time he makes application with the Department for a new discharge or expansion that is subject to an offset or technology-based requirement in § 62.1-44.19:15 of the Code of Virginia.

#### WHERE TO FILE THE REGISTRATION STATEMENT

The completed registration statement should be sent to the Department of Environmental Quality, Water Quality Division Office of Water Permit Programs, P.O. Box 10009, Richmond, Virginia 23240-0009.

#### COMPLETENESS

Complete all items except where indicated, or enter NA for "not applicable" in order for your registration statement to be accepted. If you need more space than the form allows, write on and attach extra sheets of paper.

#### DEFINITIONS

"Equivalent load" means 2,300 pounds or more per year of total nitrogen or 300 pounds or more per year of total phosphorus for new and expanded industrial facilities; 5,700 pounds or more per year of total nitrogen or 760 pounds or more per year of total phosphorus discharged by an existing industrial facility directly into tidal waters, and 28,500 pounds or more per year of total nitrogen or 3,800 pounds or more per year of total phosphorus discharged by an existing industrial facility directly to nontidal waters.

"Existing facility" means a facility holding a current individual VPDES permit that has either commenced discharge from, or has received a Certificate to Construct, the treatment works used to derive its wasteload allocation on or before July 1, 2005.

"Expansion" or "expands" means initiating construction at an existing facility after July 1, 2005 to increase treatment capacity, except that the term does not apply in those cases where a Certificate to Construct was issued on or before July 1, 2005.

"Facility" means a point source discharging or proposing to discharge total nitrogen or total phosphorus to the Chesapeake Bay or its tributaries. This term does not include confined animal feeding operations, discharges of stormwater, return flows from irrigated agriculture, or vessels.

"New discharge" means any discharge from a facility that did not commence the discharge of pollutants prior to July 1, 2005, except that the term does not apply in those cases where a Certificate to Construct was issued to the facility on or before July 1, 2005.

**LINE BY LINE INSTRUCTIONS****Item 1. APPLICANT INFORMATION**

- Item A: Provide the name of the facility associated with the discharge(s).
- Item B: Provide the name of the person or corporation that owns the business. This does not have to be the owner of the facility (e.g., if it is leased) but should be who is responsible for the regulated activity and wants coverage under the general permit.
- Item C: Provide the mailing address, phone number, fax number and e-mail address of the above person.
- Item D: Indicate here the physical location of the facility if it can't be located from the mailing address.
- Item E: If someone other than the owner listed in item B runs the facility and is the person with whom business will be conducted, check **No**. Otherwise check **Yes**.
- Item F: If **No** was checked above, indicate the name of the person other than the owner who operates the facility.
- Item G: Provide the address, phone number, fax number and e-mail address of the person other than the owner here.

**Item 2. FACILITY INFORMATION**

Provide permit number for all valid VPDES permits held by the facility. **Please note that facilities without a valid VPDES permit are ineligible for coverage under this general permit.**

**Item 3: AGGREGATED DISCHARGES**

An owner or operator of two or more facilities located in the same tributary may apply for and receive an aggregated waste load allocation for total nitrogen and an aggregated waste load allocation for total phosphorus reflecting the total of the water quality-based total nitrogen and total phosphorus waste load allocations established for such facilities individually. List the facilities (and their permit numbers) that are proposed for an aggregated waste load allocation.

**Item 4: TRANSFER OF ALLOCATION TO OR FROM ANOTHER FACILITY**

The General Permit allows the transfer of all or a portion of the waste load allocations to or from one or more permitted facilities in the same tributary, based on delivered pounds by the respective trading parties as listed by the Department. List the facility name, permit number, parameter (whether nitrogen or phosphorus), delivered pounds and whether the allocation is being acquired or transferred, and provide legal evidence of the exchange that lists the parties involved, the parameter in question and the load allocation (in delivered pounds) to be exchanged for each of the calendar years for which the contract will be in effect.

**Item 5: CERTIFICATION**

All registration statement shall 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;

Instructions for Completing Registration Statement, VPDES General Permit for Total Nitrogen and Total Phosphorus Discharges and Watershed Trading in the Chesapeake Watershed in Virginia  
Page 2 of 4

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. For purposes of this section, a principal executive officer of a federal 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.

**PLAN TO OFFSET NEW OR INCREASED DELIVERED TOTAL NITROGEN AND DELIVERED TOTAL PHOSPHORUS LOADS (if applicable):**

An owner or operator of a facility authorized by a Virginia Pollutant Discharge Elimination System permit first issued before July 1, 2005, that expands his facility to discharge 100,000 gallons or more per day, or an equivalent load directly into tidal waters, or 500,000 gallons or more per day, or an equivalent load, directly into nontidal waters shall demonstrate to the Department that he has acquired waste load allocations sufficient to offset any increase in his delivered total nitrogen and delivered total phosphorus loads resulting from any expansion beyond his waste load allocations or permitted design capacity as of July 1, 2005.

An owner or operator of a facility authorized by a Virginia Pollutant Discharge Elimination System permit first issued before July 1, 2005, that expands his facility to discharge 100,000 gallons or more per day up to and including 499,999 gallons per day, or an equivalent load, directly into nontidal waters, shall demonstrate to the Department that he has acquired waste load allocations sufficient to offset any increase in his delivered total nitrogen and delivered total phosphorus loads resulting from any expansion beyond his permitted capacity as of July 1, 2005.

An owner or operator of a facility authorized by a Virginia Pollutant Discharge Elimination System permit first issued before July 1, 2005, that expands his facility to discharge 40,000 gallons or more per day up to and including 99,999 gallons per day, or an equivalent load, directly into tidal or nontidal waters, shall demonstrate to the Department that he has acquired waste load allocations sufficient to offset any increase in his delivered total nitrogen and delivered total phosphorus loads resulting from any expansion beyond his permitted capacity as of July 1, 2005.

An owner or operator of a facility authorized by a Virginia Pollutant Discharge Elimination System permit first issued on or after July 1, 2005, to discharge 40,000 gallons or more per day, or an equivalent load, shall demonstrate to the Department that he has acquired waste load allocations sufficient to offset his delivered total nitrogen and delivered total phosphorus loads.

This offset may be acquired by one of the following method: the registrant for this general permit may elect to use one, or a combination of more than one, method:

1. Acquisition of all or a portion of the waste load allocations from one or more permitted facilities in the same tributary, based on delivered pounds by the respective trading parties as listed by the Department.
2. Acquisition of nonpoint source load allocations through the use of best management practices acquired through a public or private entity acting on behalf of the land owner. Such best management practices shall achieve reductions beyond those already required by or funded under federal or state law, or the Virginia tributaries strategies plans, and shall be installed in the same tributary in which the new or expanded facility is located and included as conditions of the facility's individual Virginia Pollutant Discharge Elimination System permit; or
3. The permittee may acquire nitrogen or phosphorus credits through payments made into the Virginia Water Quality Improvement Fund established in § 10.1-2128 only after the owner or operator has demonstrated that he has made a good faith effort to acquire sufficient allocations in accordance with 1 and 2 (above) and that such allocations are not reasonably available taking into account timing, cost, and other relevant factors.

**Attach to the registration statement the applicable plan for offsetting new or increased delivered total nitrogen and delivered total phosphorus loads.**

Instructions for Completing Registration Statement, VPDES General Permit for Total Nitrogen and Total Phosphorus Discharges and Watershed Trading in the Chesapeake Watershed in Virginia  
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VA.R. Doc. No. R05-175; Filed September 12, 2006, 12:53 p.m.

## TITLE 14. INSURANCE

### STATE CORPORATION COMMISSION

#### Final Regulation

<p><b>REGISTRAR'S NOTICE:</b> 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.</p>
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**Title of Regulation:** 14 VAC 5-260. **Rules Governing Insurance Holding Companies (amending 14 VAC 5-260-10, 14 VAC 5-260-30 through 14 VAC 5-260-60, 14 VAC 5-260-80, and 14 VAC 5-260-90; adding 14 VAC 5-260-110; repealing 14 VAC 5-260-20).**

**Statutory Authority:** §§ 12.1-13 and 38.2-223 of the Code of Virginia.

**Effective Date:** October 2, 2006.

**Agency Contact:** Raquel C. Pino-Moreno, Principal Insurance Analyst, Bureau of Insurance, P.O. Box 1157, Richmond, VA 23218, telephone (804) 371-9499, FAX (804) 371-9511, toll-free (800) 552-7945 or email raquel.pino-moreno@scc.virginia.gov.

**Summary:**

*The revisions amend the Code of Virginia citation references and add language requiring notification to the Bureau of Insurance regarding (i) investments in any one corporation under certain circumstances and (ii) declaration or payment of dividends or other distributions. These revisions are necessary as a result of the passage of Chapter 577 of the 2006 Acts of Assembly effective July 1, 2006, which amends §§ 38.2-1329 and 38.2-1330, and adds § 38.2-1330.1 to the Code of Virginia.*

*The revisions also relocate the section entitled "Severability clause" and provide nonsubstantive and housekeeping revisions to various sections.*

AT RICHMOND, SEPTEMBER 11, 2006

COMMONWEALTH OF VIRGINIA

At the relation of the

STATE CORPORATION COMMISSION

CASE NO. INS-2006-00167

**Ex Parte:** In the matter of Adopting Revisions to the Rules Governing Insurance Holding Companies

#### ORDER ADOPTING REVISIONS TO RULES

By Order to Take Notice entered herein June 20, 2006, all interested persons were ordered to take notice that subsequent to August 25, 2006, the State Corporation Commission ("Commission") would consider the entry of an order adopting revisions proposed by the Bureau of Insurance ("Bureau") to the Commission's Rules Governing Insurance Holding Companies, set forth in Chapter 260 of Title 14 of the Virginia Administrative Code, effective October 2, 2006, unless on or before August 25, 2006, any person objecting to the adoption of the proposed revisions filed a request for a hearing with the Clerk of the Commission. The Order to Take Notice also required all interested persons to file their comments in support of or in opposition to the proposed revisions on or before August 25, 2006.

The proposed revisions amend references to certain sections of the Code of Virginia and add language that requires the Bureau to be notified regarding certain investments by an insurer and the declaration of dividends or other distributions. They result from the passage of Senate Bill 546 during the 2006 General Assembly Session, which amends §§ 38.2-1329 and 38.2-1330, and adds a new provision, § 38.2-1330.1, of the Code of Virginia. In addition, the section entitled "Severability clause" is being relocated, requiring the rule at 14 VAC 5-260-20 to be repealed and replaced with a new rule at 14 VAC 5-260-110. There also are several additional non-substantive revisions to various sections.

As of the date of this Order, no request for a hearing has been filed and no comments have been filed with the Clerk of the Commission.

The Bureau, therefore, has recommended that the proposed revisions as submitted by the Bureau be adopted by the Commission, effective October 2, 2006.

THE COMMISSION, having considered the proposed revisions and the Bureau's recommendation, is of the opinion that the proposed revisions should be adopted.

THEREFORE, IT IS ORDERED THAT:

(1) The proposed revisions to Chapter 260 of Title 14 of the Virginia Administrative Code, entitled "Rules Governing Insurance Holding Companies," which amend the rules at 14 VAC 5-260-10, 14 VAC 5-260-30 through 14 VAC 5-260-60, 14 VAC 5-260-80, and 14 VAC 5-260-90; repeal the rule at 14 VAC 5-260-20; and add a new rule at 14 VAC 5-260-110; and which are reflected in the revised rules attached hereto and made a part hereof, are hereby ADOPTED, to be effective October 2, 2006.

(2) AN ATTESTED COPY hereof shall be sent by the Clerk of the Commission to the Bureau of Insurance in care of Deputy Commissioner Douglas C. Stolte, who forthwith shall give further notice of the adoption of the revisions by mailing a copy of this Order, including a copy of the attached revised

rules, to all insurers, burial societies, fraternal benefit societies, and health maintenance organizations licensed or authorized by the Commission pursuant to Title 38.2 of the Code of Virginia, and certain interested parties designated by the Bureau of Insurance.

(3) The Commission's Division of Information Resources forthwith shall cause a copy of this Order, including a copy of the attached revised rules, to be forwarded to the Virginia Registrar of Regulations for appropriate publication in the Virginia Register of Regulations and shall make available this Order and the attached revised rules on the Commission's website, <http://www.scc.virginia.gov/caseinfo.htm>.

(4) The Bureau of Insurance shall file with the Clerk of the Commission an affidavit of compliance with the notice requirements of paragraph (2) above.

AT RICHMOND, SEPTEMBER 19, 2006

COMMONWEALTH OF VIRGINIA  
At the relation of the  
STATE CORPORATION COMMISSION

CASE NO. INS-2006-00167

Ex Parte: In the matter of Adopting  
Revisions to the Rules Governing  
Insurance Holding Companies

CORRECTING ORDER

In the Order Adopting Revisions to Rules entered herein September 11, 2006, page 5 and page 11 of the rules attached thereto were not the correct versions of such pages. Although there were no substantive changes made from the proposed revisions attached to the Order to Take Notice entered herein June 20, 2006, there is one grammatical change that should be reflected, and there are two typographical errors that should be corrected; therefore, it is necessary to correct page 5 and page 11 attached to the Order Adopting Revisions to Rules.

IT IS THEREFORE ORDERED THAT:

(1) Page 5 of the rules attached to the Order Adopting Revisions to Rules entered herein September 11, 2006, shall be deleted in its entirety, and the page 5 attached hereto, shall be, and it is hereby, adopted in its place and stead.

(2) Page 11 of the rules attached to the Order Adopting Revisions to Rules entered herein September 11, 2006, shall be deleted in its entirety, and the page 11 attached hereto, shall be, and it is hereby, adopted in its place and stead.

(3) All provisions of the Order Adopting Revisions to Rules entered September 11, 2006, shall remain in full force and effect.

(4) AN ATTESTED COPY hereof shall be sent by the Clerk of the Commission to the Bureau of Insurance in care of Deputy Commissioner Douglas C. Stolte, who forthwith shall give further notice of entry of this Order by mailing a copy of

this Order, including a copy of the attached corrected pages 5 and 11 of the rules, to all insurers, burial societies, fraternal benefit societies, and health maintenance organizations licensed or authorized by the Commission pursuant to Title 38.2 of the Code of Virginia, and certain interested parties designated by the Bureau of Insurance.

(5) The Commission's Division of Information Resources forthwith shall cause a copy of this Order, including a copy of the attached corrected pages 5 and 11 of the rules, to be forwarded to the Virginia Registrar of Regulations for appropriate publication in the Virginia Register of Regulations and shall make available this Order and the attached corrected pages 5 and 11 of the rules on the Commission's website, <http://www.scc.virginia.gov/caseinfo.htm>.

(6) The Bureau of Insurance shall file with the Clerk of the Commission an affidavit of compliance with the notice requirements of paragraph (4) above.

**14 VAC 5-260-10. Purpose Applicability.**

~~The purpose of this regulation is to set~~ This chapter sets forth rules and procedural requirements which the commission deems necessary to carry out the provisions of Articles 5 and 6 ~~in Chapter 13~~ (§ 38.2-1322, et seq. and § 38.2-1335 et seq., ~~hereinafter, ) of Chapter 13 of Title 38.2 ("the Act") of the Code of Virginia, concerning insurance holding companies and subsidiaries of insurance companies. The information called for by this regulation chapter is necessary and appropriate for the protection of the policyholders in this Commonwealth.~~

**14 VAC 5-260-20. Severability clause. (Repealed.)**

~~If any provision of this regulation or the application thereof to any person or circumstance is for any reason held to be invalid, the remainder of the regulation and the application of such provision to other persons or circumstances shall not be affected thereby.~~

**14 VAC 5-260-30. Definitions.**

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

"Commission" means the State Corporation Commission.

"Commissioner of Insurance" means the administrative or executive officer of the division or bureau of state government established to administer the insurance laws of a state other than Virginia.

"Executive officer" means chief executive officer, chief operating officer, chief financial officer, president, ~~vice-president~~ vice president, treasurer, secretary, controller, and any other individual performing functions corresponding to those performed by the foregoing officers under whatever title.



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# Regulations

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"Foreign insurer" shall include an alien insurer except where clearly noted otherwise.

"NAIC" means National Association of Insurance Commissioners.

"The Act" means Articles 5 and 6 ~~in~~ of Chapter 13 (§ 38.2-1322 et seq. and § 38.2-1335 et seq.) of Title 38.2 of the Code of Virginia.

"Ultimate controlling person" means that person which is not controlled by any other person.

~~Unless the context otherwise requires,~~ Other terms found in this ~~regulation chapter~~ are used as defined in § 38.2-1322 of the Code of Virginia, or industry usage if not defined by the Code of Virginia.

## **14 VAC 5-260-40. Acquisition of control; approval of applications.**

A. A person filing an application or statement pursuant to ~~subsection A of~~ § 38.2-1323 A, or any related provision of §§ 38.2-1324 through 38.2-1328, of the Act shall furnish the required information designated on Form A of this ~~regulation chapter~~.

1. Where applicable and required by Form A, Form E shall also be filed.
2. Whenever an application includes information in the format required by Form E, the commission may require an opinion of an economist as to the competitive impact of the proposed acquisition.

B. When the person being acquired controls a domestic insurer, ~~such~~ the person shall, for purposes of completing a Form A application, be deemed to be a "domestic insurer."

1. The name of the domestic subsidiary insurer should be indicated on the cover page as follows:

"ABC Insurance Company, a subsidiary of XYZ Holding Company,"<sub>1</sub> and

2. References to "the insurer" contained in Form A shall refer to both the domestic subsidiary insurer and the person being acquired.

C. The applicant shall promptly advise the commission of any changes in the information so furnished on Form A, or any attachments thereto, arising subsequent to the date upon which ~~such~~ the information was furnished, but prior to the commission's disposition of the application and consummation of the acquisition of control.

1. Within two business days after the person filing the application learns of the change, an amendment setting forth the change, together with copies of all documents and other material relevant to the change, shall be filed with the commission. The filing shall be made with the clerk of the commission. Except where the applicant is also the insurer,

the applicant shall show on each such filing that a copy has also been sent to the insurer.

2. A failure to file complete and accurate information as required by this ~~regulation chapter~~ is grounds for a denial by the commission pursuant to § 38.2-1326.

3. As used in this section and for purposes of all Form A filings, "material change" includes any change in the identity of executive officers or any party to a merger or a liquidating transaction.

D. Where "control" is derived from a management agreement, including any other agreement between a domestic insurer and another person other than a contract for goods or nonmanagement services, any termination of the agreement or any substitution of persons under ~~such~~ the agreement shall be deemed a change of control requiring notice and application to the commission pursuant to § 38.2-1323 of the Act.

E. A person seeking to merge with or acquire a domestic insurer may apply to the commission for an order exempting the person from the provisions of §§ 38.2-1323 through 38.2-1327 if the merger or acquisition meets the standards for exemption provided in § 38.2-1328.

1. The application shall be in writing and shall be filed with the clerk of the commission. Filing instructions are the same as for a Form A filing. See Section III of the Form A Instructions for information regarding number of copies and signature requirements. The applicant shall identify the parties to the merger or acquisition and shall state (i) the purpose of the merger or acquisition, (ii) the method of merger or acquisition, and (iii) why the person believes the exemption criteria of § 38.2-1328 will be met.

2. Within 30 days after the application for exemption is filed with the ~~Clerk's Office~~ clerk of the commission, the commission shall enter an order granting the exemption or giving notice of a hearing to determine the merits of the application.

F. Any hearing held to consider an application filed pursuant to the provisions of this section and § 38.2-1323 of the Act shall be held pursuant to § 38.2-1326 and shall begin, unless waived by the insurer, within 40 days of the date the application is filed with the commission. An application shall be deemed filed upon receipt by the commission of all material required by ~~the~~ this section or § 38.2-1324 of the Act.

## **14 VAC 5-260-50. Acquisitions involving insurers not otherwise covered.**

A. An acquisition covered by ~~subsection B of~~ § 38.2-1323 B of the Act may be subject to orders pursuant to ~~subsections B and C of~~ § 38.2-1323 B and C of the Code of Virginia unless the acquiring party files a pre-acquisition notification or an acquisition statement in the format prescribed by Form E of

this ~~regulation~~ chapter. The person being acquired may file the statement.

1. The commission may enter an order suspending the license of an insurer involved in ~~such~~ an acquisition if there is substantial evidence that the effect of the acquisition may be substantially to lessen competition in any line of insurance in this Commonwealth or tend to create a monopoly therein, and is detrimental to policyholders or the public in general.

2. ~~Such~~ An order suspending the license may also be entered if the insurer fails to file adequate information sufficient to rebut a reasonable belief that the merger or acquisition causes or tends to cause a substantial lessening of competition in any line of insurance, and also is detrimental to policyholders or the public.

3. In determining whether competition may be detrimental, the commission shall consider, among other things, whether applicable competitive standards promulgated by the NAIC have or may be violated as a consequence of the acquisition. ~~Such~~ The standards may include any indicators of competition identified or enumerated by the NAIC in any model laws or portions of practice and procedure or instructional manuals developed to provide guidance in regulatory oversight of holding company systems, mergers and acquisitions, or competitive practices within the marketplace. ~~Such~~ The standards include ~~particularly~~ the definitions, guidelines or standards embodied in any model holding company act or model holding company regulation adopted by the NAIC. In addition, the commission may request and consider the opinion of an economist as to the competitive impact of the acquisition whenever pre-acquisition notification is submitted pursuant to ~~subsection B of~~ § 38.2-1323 B of the Act.

4. An order suspending the license shall not be entered under § 38.2-1323 B of the Act unless the involved insurer has received 10 ~~days~~ days' notice and an opportunity to be heard. The notice of hearing shall be accompanied by a request for ~~such~~ information as required by § 38.2-1324 of the Act; it may include also a request for an opinion of an economist as to the competitive impact of the acquisition.

a. Requested information shall be filed as an acquisition statement in the format of Form E of this ~~regulation~~ chapter.

b. If the commission determines that the acquisition or merger causes or tends to cause a substantial lessening of competition in any line of insurance, the commission may request the insurer to furnish the additional information required by § 38.2-1324, in order to rebut the reasonable belief that ~~such~~ the lessening of competition is detrimental to policyholders or the public in general.

5. An order suspending the license shall not be entered under § 38.2-1323 B of the Code of Virginia and this section if:

a. The acquisition will yield substantial economies of scale or economies in resource utilization that cannot be feasibly achieved in any other way, and the public benefits which would arise from ~~such~~ the economies exceed the public benefits which would arise from not lessening competition; or

b. The acquisition will substantially increase the availability of insurance, and the public benefits of ~~such~~ the increase exceed the public benefits which would arise from not lessening competition.

6. The commission's order suspending the license entered under this section shall not become final earlier than 21 days after it is issued, during which time the involved insurer may submit a plan to remedy the anticompetitive impact of the acquisition within a reasonable time. Based upon ~~such~~ the plan or other information, the commission shall specify the conditions, if any, under the time period during which the aspects of the acquisition causing a violation of the applicable competitive standards announced by the commission would be remedied and the order vacated or modified.

B. Any hearing held pursuant to the provisions of this section shall begin, unless waived by the insurer, within 40 days of the date of receipt by the commission of all material required by § 38.2-1323 of the Act.

C. For the purposes of this section and § 38.2-1323 B of the Act, "acquisition" means any agreement, arrangement or activity the consummation of which results in a person acquiring directly or indirectly control of another person, and includes but is not limited to the acquisition of voting securities, the acquisition of assets, bulk reinsurance, and mergers.

**14 VAC 5-260-60. Annual registration of insurers; registration statement filings and amendments.**

A. An insurer required to file a registration statement pursuant to § 38.2-1329 of the Act shall furnish the required information in the format designated on Form B of this ~~regulation~~ chapter.

1. The initial registration statement shall be filed with the commission within 15 days after the insurer becomes subject to registration under § 38.2-1329 of the Act.

2. Annually thereafter by April 30 of each year, for the previous calendar year, the registrant shall file a completely restated up-to-date registration statement in the format designated on Form B, with amendments consolidated therein. Each ~~such~~ registration statement shall contain a summary outlining all items in the current registration statement representing changes from the prior registration

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statement. The summary shall be prepared in the format designated on Form C, as specified in the instructions of that form, which is a part of this ~~regulation~~ chapter.

B. An insurer shall file a copy of its most current registration statement and the Form C filing, also known as a Summary of Registration Filing, in each state in which the insurer is authorized to do business, if requested by the insurance commissioner of that state.

C. Amendments to Form B.

1. An amendment to Form B shall be filed under the following conditions:

a. Within 15 days after the end of any month in which there is a material change to the information provided in the annual registration statement;

b. Within 15 days after the end of any month in which the registrant or insurer learns there is a change in control of the registrant, in which case all of Form B and Form C shall be made current;

c. Within 15 days after the end of any month in which the registrant or insurer learns there is a material change in information given in Item 5 of Form B;

d. Within 30 days after the investment in any one corporation, if the total investment in that corporation, by the insurance holding company system, exceeds 10% of that corporation's voting securities;

~~d. e.~~ e. Within 15 days after the end of any month in which there is a material change in any portion of the information given in Item 6 of Form B;

~~e. f.~~ f. Within 15 days after the end of any month in which there is a change of the chief executive officer, president, or more than 1/3 of the directors reported in Item 4 of Form B;

~~f. g.~~ g. Within ~~two~~ five business days following the declaration of any dividend or other distribution to an insurer's shareholder, and at least 30 days prior to payment thereof; and

~~g. h.~~ h. Within 120 days after the end of each fiscal year of the ultimate controlling person of the insurance holding company system.

2. Amendments shall be filed in the Form B format. Subject to the provisions of subdivision A 2 of this section, only those items which are being amended need be reported. Each ~~such~~ amendment shall include at the top of the cover page "Amendment No. (insert number) to Registrant Statement, brought current from (insert year)" and shall indicate as its "Date," the date of the change and not the date of the original filings. Filings made in the format of Forms A, D, E, or F may be deemed amendments filed in the Form B format when accompanied by certification under oath or affirmation that the transaction

reported on ~~such~~ Form A, D, E, or F has been consummated. If the commission's approval of the transaction is required by the Act, the certification shall state also that consummation was pursuant to terms and agreements approved by the commission.

3. As used in this section, "material transaction" has the meaning set forth in § 38.2-1322 of the Act except that, unless the commission by rule, order or regulation prescribes otherwise, no sale, purchase, exchange, loan, or extension of credit or investment shall be considered "material" unless it involves at least 0.5% of an insurer's admitted assets or 5.0% of the insurer's surplus to policyholders, as of the ~~31st day of immediately preceding December next preceding~~ 31. Any sale or other transaction which is one of a series of transactions occurring within a 12-month period that are sufficiently similar in nature as to be reasonably construed as a single transaction and that in the aggregate exceed the minimum limits herein provided shall be deemed a material transaction.

D. Exemptions and alternative and consolidated registrations.

1. Any insurer which is authorized to do business in this Commonwealth may file a registration statement on behalf of any affiliated insurer or insurers which are required to register under § 38.2-1329 of the Act. A registration statement may include information not required by the Act regarding any insurer in the insurance holding company system even if ~~such~~ the insurer is not authorized to do business in this Commonwealth. In lieu of filing a registration statement on Form B, the authorized insurer may file a copy of the registration statement or similar report which it is required to file in its state of domicile, provided:

a. The statement or report contains substantially similar information required to be furnished on Form B; and

b. The filing insurer is the principal insurance company in the insurance holding company system.

2. The question of whether the filing insurer is the principal insurance company in the insurance holding company system is a question of fact and an insurer filing a registration statement or report in lieu of Form B on behalf of an affiliated insurer, shall set forth a brief statement of facts which will substantiate the filing insurer's claim that it, in fact, is the principal insurer in the insurance holding company system.

3. With the prior approval of the commission, an insurer not licensed to transact the business of insurance in this Commonwealth may follow any of the procedures which could be done by an authorized insurer under subdivision 1 of this subsection.

4. Any insurer may take advantage of the provisions of § 38.2-1329 G or § 38.2-1329 H of the Act without obtaining the prior approval of the commission. The

commission, however, reserves the right to require individual filings if it deems ~~such the~~ filings necessary in the interest of clarity, ease of administration or the public good.

5. The state of entry of an alien insurer shall be deemed to be its state of domicile for the purpose of this ~~regulation~~ chapter.

6. Any foreign insurer subject to disclosure requirements and standards adopted by statute or regulation in the jurisdiction of its domicile that are substantially similar to those contained in § 38.2-1329 of the Act, shall be exempted and excepted from registration in this Commonwealth pursuant to this section and § 38.2-1329 A of the Act; however, if requested by the commission, ~~such the~~ insurer shall furnish to the commission a copy of the registration statement or other information filed with its state of domicile. ~~Such The~~ information shall be filed with the commission within 15 days after the commission makes its request.

7. Any insurer not otherwise exempt or excepted from § 38.2-1329 of the Code of Virginia may apply for an exemption from the requirements of this section of the Code of Virginia by submitting a statement to the commission setting forth its reasons for being exempt.

**14 VAC 5-260-80. Transactions subject to prior notice filing.**

A. An insurer required to give notice of a proposed transaction pursuant to § 38.2-1331 of the Act shall furnish the required information in the format designated on Form D, as specified in the instructions of that form, which is a part of this ~~regulation~~ chapter.

B. The approval of any material transactions pursuant to § 38.2-1331 of the Act shall be deemed an amendment to an insurer's registration statement under ~~subdivision C 4 of~~ § 38.2-1329 C 4 of the Act without further filing other than written confirmation under oath or affirmation by registrant that the transaction as approved by the commission has been consummated. ~~Such The~~ confirmation shall be filed within two business days following consummation of the approved transaction.

**14 VAC 5-260-90. Dividends and other distributions.**

A. Each registered insurer shall report to the commission as required under § 38.2-1329 of the Act, all dividends and other distributions to shareholders within ~~two five~~ business days following declaration and at least 30 days prior to payment. Except as provided in subsection B of this section, ~~such the~~ report shall be filed in the format prescribed by Form F and shall include at least the following:

1. A statement stating whether the dividend or distribution is extraordinary. If the dividend or distribution is extraordinary, the insurer also shall state the date of

approval, if any, obtained pursuant to ~~§ 38.2-1330 C~~ § 38.2-1330.1 A of the Act, or the earliest date on which ~~such~~ approval may be deemed;

2. Earned surplus as of the immediately preceding December 31;

~~2-3.~~ The amount of the proposed dividend;

~~3-4.~~ The date of declaration, date of record and date established for payment of the dividend;

~~4-5.~~ A statement as to whether the dividend is to be in cash or other property and, if in property, a description thereof, its cost, and its fair market value together with an explanation of the basis for valuation;

~~5-6.~~ The amounts, dates and form of payment of all dividends or distributions (including regular dividends but excluding distributions of the insurer's own securities) paid within the period of 12 consecutive months ending on the date fixed for payment of the proposed dividend for which approval is sought and commencing on the day after the same day of the same month in the last preceding year; ~~and~~

~~6-7.~~ A brief statement as to the effect of the proposed dividend upon the insurer's surplus and the reasonableness of surplus in relation to the insurer's outstanding liabilities and the adequacy of surplus relative to the insurer's financial needs; and

8. A statement identifying any and all revaluations of assets.

B. If payment of an extraordinary dividend or distribution has been approved prior to its declaration, the insurer may comply with the requirements of § 38.2-1329 E of the Act by filing written confirmation under oath or affirmation that the extraordinary dividend or distribution, as approved by the commission, as has been declared. Confirmation shall be filed within ~~two five~~ business days following declaration.

C. An insurer may obtain prior approval of an extraordinary dividend or distribution, as required by ~~§ 38.2-1330 C~~ § 38.2-1330.1 A of the Act, by filing a request for approval with the commission. The request for approval shall be filed in the format prescribed by Form F and shall include at least the following:

1. All the information required in subsection A of this section;

2. Statements of financial condition and earnings for the period intervening from the last annual statement filed with the commission and the end of the month preceding the month in which the request for dividend approval is submitted; and, if the date of payment or distribution is more than 60 days removed from the date of the most current financial statement submitted by the insurer, the insurer shall include also a pro forma statement as of the day after the distribution or payment of the dividend

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showing its effect and other known and reasonably projected adjustments to the financial condition and earnings of the insurer; and

3. A copy of the calculations determining that the proposed dividend is extraordinary. The work paper shall include the following information:

a. The amounts, dates and form of payment of all dividends or distributions (including regular dividends but excluding distributions of the insurer's own securities) paid within the period of 12 consecutive months ending on the date fixed for payment of the proposed dividend for which approval is sought, and commencing on the day after the same day of the same month in the last preceding year;

b. Surplus as regards policyholders (total capital and surplus) as of the ~~31st day of~~ immediately preceding December next preceding 31;

c. If the insurer is a life insurer, the net gain from operations for the 12-month period ending the ~~31st day of~~ immediately preceding December next preceding 31; and

d. If the insurer is not a life insurer, the net income less realized capital gains for the 12-month period ending the ~~31st day of December next preceding and the two preceding 12-month periods; and~~ immediately preceding December 31, but shall not include pro rata distributions of any class of the insurer's own securities.

e. ~~If the insurer is not a life insurer, the dividends paid to stockholders (excluding distributions of the insurer's own securities) in the preceding two calendar years.~~

4. Statements on each factor set forth in ~~subsection B of~~ § 38.2-1330 B of the Act must be submitted in support of the request for approval of an extraordinary dividend or distribution, although these factors are not intended to be an exhaustive list. In determining the adequacy and reasonableness of an insurer's surplus no single factor is controlling. The commission, instead, will consider the net effect of all of these factors plus other factors bearing on the financial condition of the insurer. In comparing the surplus maintained by other insurers, the commission will consider the extent to which each of these factors varies from company to company and in determining the quality and liquidity of investments in subsidiaries, the commission will consider the individual subsidiary and may discount or disallow its valuation to the extent that the individual investments so warrant.

5. In addition, in order to determine the possibility of any financial effect on the insurer, the commission may request the means of funding and the purpose of the extraordinary dividend or distribution.

D. No declaration of an extraordinary dividend or distribution shall confer any rights on shareholders without the prior approval thereof pursuant to ~~§ 38.2-1330 C~~ § 38.2-1330.1 C of the Act. However, an insurer may declare an extraordinary dividend or distribution which is ~~conditional~~ conditioned upon the commission's approval, and the declaration shall confer no rights upon shareholders until (i) the commission has approved the payment of the dividend or distribution or (ii) the commission has not disapproved the payment within the 30-day period provided by ~~§ 38.2-1330 C~~ § 38.2-1330.1 A of the Act.

## **14 VAC 5-260-110. Severability clause.**

If any provision of this chapter or the application thereof to any person or circumstance is for any reason held to be invalid, the remainder of the chapter and the application of the provision to other persons or circumstances shall not be affected thereby.

VA.R. Doc. No. R06-278; Filed September 12, 2006, 11:45 a.m.



## **TITLE 24. TRANSPORTATION AND MOTOR VEHICLES**

### **COMMONWEALTH TRANSPORTATION BOARD**

#### **Final Regulation**

**REGISTRAR'S NOTICE:** The Department of Transportation is claiming an exemption from the Administrative Process Act in accordance with § 2.2-4002 B 3 of the Code of Virginia, which exempts regulations relating to the location, design, specifications or construction of public buildings or other facilities; § 2.2-4002 B 4 of the Code of Virginia, which exempts regulations relating to grants of state or federal funds or property; and § 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 or the appropriation act where no agency discretion is involved. The Commonwealth Transportation Board will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision.

**Title of Regulation:** **24 VAC 30-271. Economic Development Access Fund Policy (amending 24 VAC 30-271-10 and 24 VAC 30-271-20).**

**Statutory Authority:** §§ 33.1-12 and 33.1-221 of the Code of Virginia.

**Effective Date:** November 1, 2006.

**Agency Contact:** William R. Dandridge, Transportation Engineer Senior, Department of Transportation, Local Assistance Division, 1401 East Broad Street, 4th Floor Annex, Richmond, VA 23219, telephone (804) 786-2743,

FAX (804) 786-2603 or email  
william.dandridge@vdot.virginia.gov.

**Summary:**

*The amendments comply with statutory changes made by Chapters 147 and 473 of the 2006 Acts of Assembly. The amendments (i) change references in the title and other regulatory text from "industrial" or "plant" to "economic development" to reflect a broader scope of the program; (ii) add the phrase "research and development facilities, distribution centers, regional service centers, corporate headquarters, or other establishments that also meet basic employer criteria as determined by the Virginia Economic Development Partnership in consultation with the Virginia Department of Business Assistance" to broaden the types of development eligible for funding; (iii) add a provision concerning refunds on conditions under which the locality may request reimbursement following the end of the five-year time period for bonds, in the event the access funds expended come to be justified by eligible capital outlay of one or more eligible establishments; and (iv) add the Virginia Economic Development Partnership (VEDP) to the groups with which the Commonwealth Transportation Board will consult in determining the use of industrial economic development.*

CHAPTER 271.

~~INDUSTRIAL~~ ECONOMIC DEVELOPMENT ACCESS  
FUND POLICY.

**24 VAC 30-271-10. Purpose.**

The policies and procedures set forth in this chapter govern the use of ~~industrial~~ economic development access funds derived from taxes on motor fuels, fees and charges on motor vehicle registrations, road taxes or any other state revenue allocated for highway purposes. Any access road constructed or improved under this chapter shall constitute a part of the secondary system of state highways or the road system of the locality in which it is located and shall thereafter be constructed, reconstructed, maintained and improved as other roads in the system of which it is a part.

**24 VAC 30-271-20. General provisions.**

A. The use of ~~industrial~~ economic development access funds shall be limited to:

1. Providing adequate access to economic development sites on which new or substantially expanding manufacturing, processing and industrial facilities, research and development facilities; distribution centers; regional service centers; corporate headquarters or other establishments that also meet basic employer criteria as determined by the Virginia Economic Development Partnership in consultation with the Virginia Department of Business Assistance; and

2. Improving existing roads that may not be adequate to serve ~~new industry or substantially expanding manufacturing, processing and industrial facilities, or other the establishments~~ as described in subdivision 1 of this subsection.

B. ~~Industrial~~ Economic development access funds shall not be used for the acquisition of rights of way or adjustment of utilities. These funds are to be used only for the actual construction and engineering of a road facility adequate to serve the traffic generated by the new or expanding eligible establishments.

C. ~~Industrial~~ Economic development access funds may not be used for the construction of access roads to schools, hospitals, libraries, airports, armories, speculative office buildings, shopping centers, apartment buildings, professional offices, residential developments, churches, hotels, motels, government installations, or similar facilities, whether public or private. (Access roads to licensed, public-use airports, while provided for in § 33.1-221 of the Code of Virginia, are funded and administered separately through 24 VAC 30-450, Airport Access Funding.)

D. No cost incurred prior to the board's approval of an allocation from the ~~industrial~~ economic development access funds may be reimbursed by such funds. ~~Industrial~~ Economic development access funds shall be authorized only after certification that the ~~manufacturing, processing or other establishment~~ economic development establishment as listed or meeting the criteria as described will be built under firm contract, or is already constructed, or upon presentation of acceptable surety in accordance with § 33.1-221 A of the Code of Virginia.

E. When an eligible establishment is not yet constructed or under firm contract and a local governing body guarantees by bond or other acceptable surety that such will occur, the maximum time limit for such bond shall be five years, beginning on the date of the allocation of the ~~industrial~~ economic development access funds by the Commonwealth Transportation Board. At the end of the five-year period, the amount of ~~industrial~~ economic development access funds expended on the project and not justified by eligible capital outlay of one or more establishments acceptable to the board shall be reimbursed to the Department of Transportation voluntarily by the locality or by forfeiture of the surety. ~~The bonded period for projects approved between March 21, 1996, and July 1, 1999, shall be extended for a period of two additional years beyond their original expiration dates, contingent upon the affected locality providing acceptable surety for the extended period. In the event that, after the Department of Transportation has been reimbursed, but still within 24 months immediately following the end of the five-year period, the access funds expended come to be justified by eligible capital outlay of one or more eligible establishments, then the locality may request a refund of one-half of the sum reimbursed to the Department of~~

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# Regulations

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Transportation, which request may be granted if funds are available, on a first-come, first-served basis in competition with applications for access funds from other localities.

~~F. The following restrictions or allowances apply to the use of industrial access funds:~~ 1. Industrial Economic development access funds shall not be used to construct or improve roads on a privately owned plant site. Nor shall the construction of a new access road to serve any industrial economic development site on a parcel of land that abuts a road constituting a part of the systems of state highways or the road system of the locality in which it is located be eligible for industrial economic development access funds, unless the existing road is a limited access highway and no other access exists. Further, where the existing road is part of the road system of the locality in which it is located, or the secondary system of state highways, industrial economic development access funds may be used to upgrade the existing road only to the extent required to meet the needs of traffic generated by the new or expanding industrial facility eligible establishment.

~~2.~~ In the event an industrial economic development site has access according to the foregoing provisions of this chapter, but it can be determined that such access is not adequate in that it does not provide for safe and efficient movement of the industrial traffic generated by the industry eligible establishment on the site or that the site's traffic conflicts with the surrounding road network to the extent that it poses a safety hazard to the general public, consideration will be given to funding additional improvements. Such projects shall be evaluated on a case-by-case basis upon request, by resolution, from the local governing body. Localities are encouraged to establish planning policies that will discourage incompatible mixes such as industrial and residential traffic.

~~G. The following funding limitations and procedures apply to the use of industrial access funds:~~ 1. Not more than \$300,000 of unmatched industrial economic development access funds may be allocated in any fiscal year for use in any county, city or town that receives highway maintenance payments under § 33.1-41.1 of the Code of Virginia. A town whose streets are maintained under either § 33.1-79 or § 33.1-82 of the Code of Virginia shall be considered as part of the county in which it is located. The maximum eligibility of unmatched funds shall be limited to 10% of the capital outlay of the designated industry or industries eligible establishments. The unmatched eligibility may be supplemented with additional industrial economic development access funds, in which case the supplemental access funds shall be not more than \$150,000, to be matched dollar-for-dollar from funds other than those administered by this board. The supplemental industrial economic development access funds over and above the unmatched eligibility shall be limited to 5.0% of the capital outlay of the designated industry or industries eligible establishments as previously described. Such supplemental funds shall be considered only if the total

estimated cost of eligible items for the individual economic development access improvement exceeds \$300,000.

~~2.~~ If an eligible site is owned by a regional industrial facility authority, as defined in ~~Chapter 64~~ (§ 15.2-6400 ~~et seq.~~) of ~~Title 15.2~~ of the Code of Virginia, funds may be allocated for construction of an access road project to that site without penalty to the jurisdiction in which the site is located. This provision may be applied to one regional project per fiscal year in any jurisdiction with the same funding limitations as prescribed for other individual projects.

H. Eligible items of construction and engineering shall be limited to those that are essential to providing an adequate facility to serve the anticipated traffic while meeting all appropriate Commonwealth Transportation Board and state policies and standards. ~~Items such as storm sewers, curb and gutter, and extra pavement width will not normally be eligible.~~ However, additional pavement width or other features may be eligible where necessary to qualify the road facility in a city or town for maintenance payments under § 33.1-41.1 of the Code of Virginia.

I. It is the intent of the board that industrial economic development access funds not be anticipated from year to year. Unused eligibility cannot be allowed to accumulate and be carried forward from one fiscal year to another.

J. The Commonwealth Transportation Board will consult and work closely with the Virginia Economic Development Partnership (VEDP) and the Department of Business Assistance (DBA) in determining the use of industrial economic development access funds and ~~may will~~ rely on the recommendations of ~~this department~~ the VEDP and the DBA in making decisions as to the allocation of these funds. In making its recommendations to this board, the ~~Department of Business Assistance~~ VEDP and DBA will take into consideration the impact of the proposed facility on the employment and tax base of both the area in which the facility is to be located and the Commonwealth of Virginia. ~~The determination by the Department of Business Assistance that the subject establishment impacts the economic growth of the Commonwealth to such an extent that an allocation should be made regardless of the manufacturing or distributive classification will be given considerable weight by this board.~~

K. Prior to the formal request for the use of industrial economic development access funds to provide access to new or expanding industries eligible establishments, the location of the access road shall be submitted for approval ~~of the engineers~~ by the Virginia Department of Transportation. ~~The engineers~~ The Virginia Department of Transportation shall take into consideration the cost of the facility as it relates to the location and as it relates to the possibility of the future extension of the road to serve other possible industrial eligible establishments, as well as the future development of the area traversed.

L. Prior to this board's allocation of funds for such construction or road improvements to an industry eligible economic development establishment proposing to locate or expand in a county, city or town, the governing body shall by resolution request the access funds and shall be responsible for the preliminary negotiations with the industries eligible establishment and others interested. Engineers of the Virginia Department of Transportation will be available for consultation with the governing bodies and others, and may prepare surveys, plans, engineering studies, and cost estimates.

M. The Commonwealth Transportation Commissioner is directed to establish administrative procedures to assure the provisions of this chapter and legislative directives are adhered to and complied with.

VA.R. Doc. No. R07-01; Filed September 12, 2006, 8:47 a.m.





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# GENERAL NOTICES/ERRATA

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## DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

### 2006 Annual Report - Agricultural Stewardship Act

The Commissioner of Agriculture and Consumer Services announces the availability of the annual report of the Agricultural Stewardship Act entitled "Virginia Agricultural Stewardship Act Annual Report, April 1, 2005 - March 31, 2006: A Positive Approach." Copies of this report can be obtained by contacting Joyce Knight at (804) 786-3538 or email [joyce.knight@vdacs.virginia.gov](mailto:joyce.knight@vdacs.virginia.gov). A written request may be sent to the address below. Copies of the annual report are available without charge. Joyce Knight, Virginia Department of Agriculture and Consumer Services, Office of Policy, Planning and Research, 102 Governor Street, Suite 219, P.O. Box 1163, Richmond, VA 23218.

## DEPARTMENT OF ENVIRONMENTAL QUALITY

### Notice of Citizen Nomination of Surface Waters for Water Quality Monitoring

In accordance with § 62.1-44.19:5 F of the Code of Virginia, the Water Quality Monitoring Information and Restoration Act, the Virginia Department of Environmental Quality (DEQ) has developed guidance for requests from the public regarding specific segments that can be nominated for consideration to be included in the Virginia Department of Environmental Quality (DEQ's) annual Water Quality Monitoring Plan.

Any citizen of the Commonwealth who wishes to nominate a water body or stream segment for inclusion in DEQ's Water Quality Monitoring Plan should refer to the guidance in preparation and submittal of their requests. All nominations must be received by December 31, 2006, to be considered for the 2008 calendar year. Copies of the guidance document and nomination form are available online at <http://www.deq.virginia.gov/cmonitor/>.

For more information, please contact James Beckley, Water Quality Data Liaison, Virginia Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240-0009, telephone (804) 698-4025, or email at [jebeckley@deq.virginia.gov](mailto:jebeckley@deq.virginia.gov).

## 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 September 6, 2006. 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 Forty-Seven (06)

Virginia's Instant Game Lottery 742; "Jingle Bucks" (effective 8/30/06)

#### Director's Order Number Forty-Eight (06)

Virginia's Instant Game Lottery 750; "Winner Wonderland" (effective 8/31/06)

#### Director's Order Number Forty-Nine (06)

Virginia's Instant Game Lottery 746; "Santa Paws" (effective 8/30/06)

#### Director's Order Number Fifty (06)

Virginia's Instant Game Lottery 748; "Frosty the Doughman" (effective 8/30/06)

#### Director's Order Number Fifty-One (06)

Virginia's Instant Game Lottery 751; "\$1,000,000 Holiday Cheer" (effective 8/30/06)

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The following Director's Orders of the State Lottery Department were filed with the Virginia Registrar of Regulations on September 14, 2006. 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 Fifty-Two (06)

Virginia's Instant Game Lottery 753; "Fast Cash" (effective 9/12/06)

#### Director's Order Number Fifty-Three (06)

Virginia's Instant Game Lottery 754; "Red Hot Cherries" (effective 9/12/06)

#### Director's Order Number Fifty-Four (06)

Virginia's Instant Game Lottery 755; "\$50,000 Poker Night" (effective 9/12/06)

## STATE WATER CONTROL BOARD

### Proposed Consent Order - Louisa County

Purpose of notice: To invite citizens to comment on a proposed consent order for a facility in Louisa County, Virginia.

Public comment period: October 2, 2006, to November 1, 2006.

Consent order description: The State Water Control Board proposes to issue a consent order to O. Zeigler and Yvonne W. White to address alleged violations at Winston Acres Farm governed by permit number VPG230012. The location of the facility where the alleged violation occurred is 2321 Valentine Mill Road, Louisa, VA 23093. The consent order describes a settlement to resolve the improper storage of poultry waste, failure to monitor waste at the frequency required, failure to operate in accordance with the Nutrient Management Plan (NMP), an expired NMP, inadequate mortality disposal, and failure to provide litter transfer records.

How to comment: DEQ accepts comments from the public by email, 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. The public may review the proposed consent order at the DEQ office named below or on the DEQ website at [www.deq.virginia.gov](http://www.deq.virginia.gov).

Contact for public comments, document requests and additional information: Jennifer Sheedy, Department of Environmental Quality, Northern Virginia Regional Office, 13901 Crown Court, Woodbridge, VA, 22193, telephone (703) 583-3938, FAX (703) 583-3841, or email [jlshedy@deq.virginia.gov](mailto:jlshedy@deq.virginia.gov).

### Approval of Water Quality Management Planning Actions

Notice of action: The State Water Control Board (board) is considering the approval of 15 total maximum daily load (TMDL) reports and granting authorization to include the TMDL reports in the appropriate Water Quality Management Plans (WQMPs).

Purpose of notice: The board is seeking comment on the proposed approvals and authorizations. The purpose of these actions is to approve 15 TMDL reports as Virginia's plans for the pollutant reductions necessary for attainment of water quality goals in several impaired waterbodies. These actions are taken in accordance with the Public Participation Procedures for Water Quality Management Planning.

Public comment period: October 3, 2006, to November 3, 2006.

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

The TMDLs listed below were developed in accordance with Federal Regulations (40 CFR 130.7) and are exempt from the provisions of Article II of the Virginia Administrative Process Act. The TMDLs have been through the TMDL public participation process contained in DEQ's Public Participation Procedures for Water Quality Management Planning. The public comment process provides the affected stakeholders an opportunity for public appeal of the TMDLs. EPA approved all TMDL reports presented under this public notice. The approved reports can be found at [http://gisweb.deq.virginia.gov/tmdlapp/tmdl\\_report\\_search.cfm](http://gisweb.deq.virginia.gov/tmdlapp/tmdl_report_search.cfm).

DEQ staff intends to recommend (i) that the DEQ Director approve the TMDL reports listed below as Virginia's plans for the pollutant reductions necessary for attainment of water quality goals in the impaired segments, and (ii) that the DEQ Director authorize inclusion of the TMDL reports in the appropriate WQMPs. No regulatory amendments are required for these TMDLs and their associated waste load allocations.

#### Affected Waterbodies and Localities:

In the Chesapeake Bay-Small Coastal-Eastern Shore River Basin:

“Total Maximum Daily Load (TMDL) Report for Shellfish Areas Listed Due to Bacteria Contamination – Back River”

1. 11 bacteria TMDLs, located in York County and the cities of Poquoson and Hampton, propose bacteria reductions for portions of the watershed to address VDH Shellfish Area Condemnations

2. Back River - Brick Kiln Creek bacteria TMDLs, located in York County and the cities of Poquoson and Hampton, propose bacteria reductions for portions of the watershed to address VDH Shellfish Area Condemnations and swimming use impairments

3. Back River – New Market Creek and SW Branch Back River bacteria TMDLs, located in York County and the cities of Poquoson and Hampton, propose bacteria reductions for portions of the watershed to address VDH Shellfish Area Condemnations and swimming use impairments

“Total Maximum Daily Load (TMDL) Report for Shellfish Areas Listed Due to Bacteria Contamination – Browns Bay and Monday Creek”

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## General Notices/Errata

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4. 2 bacteria TMDLs, located in Gloucester County, propose bacteria reductions for portions of the watershed to address VDH Shellfish Area Condemnations

“Total Maximum Daily Load (TMDL) Report for Shellfish Areas Listed Due to Bacteria Contamination – Craddock Creek”

5. Bacteria TMDL, located in Accomack County, proposes bacteria reductions for portions of the watershed to address VDH Shellfish Area Condemnations

“Total Maximum Daily Load (TMDL) Report for Shellfish Areas Listed Due to Bacteria Contamination – Dividing Creek and Prentice Cove”

6. 4 bacteria TMDLs, located in Northumberland County, propose bacteria reductions for portions of the watershed to address VDH Shellfish Area Condemnations

“Total Maximum Daily Load (TMDL) Report for Shellfish Areas Listed Due to Bacteria Contamination – Great Wicomico River”

7. 5 bacteria TMDLs, located in Northumberland County, propose bacteria reductions for portions of the watershed to address VDH Shellfish Area Condemnations

“Total Maximum Daily Load (TMDL) Report for Shellfish Areas Listed Due to Bacteria Contamination – Messongo and Guilford Creeks”

8. 3 bacteria TMDLs, located in Accomack County, propose bacteria reductions for portions of the watershed to address VDH Shellfish Area Condemnations

“Total Maximum Daily Load (TMDL) Report for Shellfish Areas Listed Due to Bacteria Contamination – Nandua Creek and McLean Gut”

9. 2 bacteria TMDLs, located in Accomack County, propose bacteria reductions for portions of the watershed to address VDH Shellfish Area Condemnations

“Total Maximum Daily Load (TMDL) Report for Shellfish Areas Listed Due to Bacteria Contamination – North River”

10. 4 bacteria TMDLs, located in Mathews and Gloucester counties, propose bacteria reductions for portions of the watershed to address VDH Shellfish Area Condemnations

“Total Maximum Daily Load (TMDL) Report for Shellfish Areas Listed Due to Bacteria Contamination – Occohannock Creek”

11. Bacteria TMDL, located in Accomack County, proposes bacteria reductions for portions of the watershed to address VDH Shellfish Area Condemnations

“Total Maximum Daily Load (TMDL) Report for Shellfish Areas Listed Due to Bacteria Contamination – Onancock Creek”

12. 3 bacteria TMDLs, located in Accomack County, propose bacteria reductions for portions of the watershed to address VDH Shellfish Area Condemnations

13. 4 bacteria TMDLs, located in Accomack County, propose bacteria reductions for portions of the watershed to address VDH Shellfish Area Condemnations and swimming use impairments

“Total Maximum Daily Load (TMDL) Report for Shellfish Areas Listed Due to Bacteria Contamination – Piankatank River and Harper Creek”

14. 2 bacteria TMDLs, located in Middlesex County, propose bacteria reductions for portions of the watershed to address VDH Shellfish Area Condemnations

“Total Maximum Daily Load (TMDL) Report for Shellfish Areas Listed Due to Bacteria Contamination – Poquoson River and Back Creek”

15. 2 bacteria TMDLs, located in York County and the City of Poquoson County, propose bacteria reductions for portions of the watershed to address VDH Shellfish Area Condemnations

“Total Maximum Daily Load (TMDL) Report for Shellfish Areas Listed Due to Bacteria Contamination – Severn River”

16. 2 bacteria TMDLs, located in Gloucester County, propose bacteria reductions for portions of the watershed to address VDH Shellfish Area Condemnations

“Total Maximum Daily Load (TMDL) Report for Shellfish Areas Listed Due to Bacteria Contamination – Upper Pungoteague Creek and Taylors Creek”

17. 2 bacteria TMDLs, located in Accomack County, propose bacteria reductions for portions of the watershed to address VDH Shellfish Area Condemnations

“Total Maximum Daily Load (TMDL) Report for Shellfish Areas Listed Due to Bacteria Contamination – Ware River”

18. 2 bacteria TMDLs, located in Gloucester County, propose bacteria reductions for portions of the watershed to address VDH Shellfish Area Condemnations

How to comment: The DEQ accepts written comments by email, fax and postal mail. All written comments must include the full name, address and telephone number of the person commenting and be received by DEQ by 5 p.m. on the last day of the comment period.

How a decision is made: After comments have been considered, the board will make the final decision. Citizens that submit statements during the comment period may address the board members during the board meeting at which a final decision is made on the proposal.

To review documents: The TMDL reports and TMDL implementation plans are available on the DEQ website at <http://www.deq.virginia.gov/tmdl/> and by contacting the DEQ representative named below. The electronic copies are in PDF format and may be read online or downloaded.

Contact for public comments, document requests and additional information: Jutta Schneider, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23219, telephone (804) 698-4099, FAX (804) 698-4116 or email [jschneider@deq.virginia.gov](mailto:jschneider@deq.virginia.gov).

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Notice of action: The State Water Control Board (board) is considering the approval of three TMDL implementation plans (TMDL IPs) and granting authorization to include the TMDL implementation plans in the appropriate Water Quality Management Plans (WQMPs).

Purpose of notice: The board is seeking comment on the proposed approvals and authorizations. The purpose of these actions is to approve three TMDL IPs as Virginia's plans for the management actions necessary for attainment of water quality goals in several impaired waterbodies. These actions are taken in accordance with the Public Participation Procedures for Water Quality Management Planning.

Public comment period: October 3, 2006, to November 3, 2006

Description of proposed action: At previous meetings, the board voted unanimously to delegate to the DEQ Director the authority to approve TMDL implementation plans, provided that a summary report of the action the director plans to take is presented to the board prior to the director approving the TMDL IPs. The TMDLs IPs included in this public notice will be approved using this delegation of authority.

The TMDL IPs listed below were developed in accordance with the 1997 Water Quality Monitoring, Information and Restoration Act (WQMIRA, § 62.1-44.19:4 through 19:8 of the Code of Virginia) and federal recommendations. The TMDL IPs were developed in accordance with DEQ's Public Participation Procedures for Water Quality Management Planning. Extensive public participation was solicited during the development of the plans, and the public comment process provided the affected stakeholders with opportunities for comment on the proposed plans. The final TMDL IPs can be found at <http://www.deq.state.va.us/tmdl/iprpts.html>.

DEQ staff intends to recommend (i) that the DEQ Director approve the TMDL IPs listed below as Virginia's plans for the management actions necessary for attainment of water quality goals in the impaired segments, and (ii) that the DEQ Director authorize inclusion of the TMDL IPs in the appropriate WQMPs. No regulatory amendments are required for these TMDL IPs.

Affected Waterbodies and Localities:

In the Potomac-Shenandoah River Basin:

“Opequon Creek Watershed TMDL Implementation Plan”

1. Opequon Creek bacteria and sediment TMDL implementation plan, Clarke and Frederick counties and the City of Winchester
2. Abrams Creek bacteria and sediment TMDL implementation plan, Frederick County and the City of Winchester

In the Roanoke River Basin:

“Big Otter Watershed Implementation Plan”

3. Sheep Creek bacteria TMDL implementation plan, Bedford County
4. Elk Creek bacteria TMDL implementation plan, Bedford County
5. Machine Creek bacteria TMDL implementation plan, Bedford County
6. Little Otter River, Bedford County and the City of Bedford
7. Big Otter River, Bedford and Campbell counties and the City of Bedford
8. North Otter Creek, Bedford County

In the Chesapeake Bay - Small Coastal-Eastern Shore River Basin:

“Implementation Plan for the Fecal Coliform Total Maximum Daily Load (TMDL) for Shellfish Areas of Lynnhaven Bay, Broad Bay and Linkhorn Bay watersheds”

9. Lynnhaven Bay bacteria TMDL implementation plan, City of Virginia Beach
10. Broad and Linkhorn Bay bacteria TMDL implementation plan, City of Virginia Beach

How to comment: The DEQ accepts written comments by email, fax and postal mail. All written comments must include the full name, address and telephone number of the person commenting and be received by DEQ by 5 p.m. on the last day of the comment period.

How a decision is made: After comments have been considered, the board will make the final decision. Citizens that submit statements during the comment period may address the board members during the board meeting at which a final decision is made on the proposal.

To review documents: The TMDL implementation plans are available on the DEQ website at <http://www.deq.virginia.gov/tmdl/> and by contacting the DEQ representative named below. The electronic copies are in PDF format and may be read online or downloaded.

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## General Notices/Errata

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Contact for public comments, document requests and additional information: Jutta Schneider, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23219, telephone (804) 698-4099, FAX (804) 698-4116 or email [jschneider@deq.virginia.gov](mailto:jschneider@deq.virginia.gov).

### **Amendment of Water Quality Management Planning Regulation**

Notice of action: The State Water Control Board (board) is considering the amendment of the regulation on water quality management planning in accordance with the Public Participation Procedures for Water Quality Management Planning. A regulation is a general rule governing people's rights or conduct that is upheld by a state agency.

Purpose of notice: The board is seeking comments through the Department of Environmental Quality on the proposed amendment. The purpose of the amendment to the state's Water Quality Management Planning Regulation (9 VAC 25-720) is to adopt five total maximum daily load (TMDL) waste load allocations.

Public comment period: October 3, 2006, to November 3, 2006.

Description of proposed action: DEQ staff will propose amendments of the state's Water Quality Management Planning regulation for the following river basins: Potomac-Shenandoah River Basin (9 VAC 25-720-50 A), and the New River Basin (9 VAC 25-720-130 A). Statutory authority for promulgating these amendments can be found in § 62.1-44.15(10) of the Code of Virginia.

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

The three TMDL reports were developed in accordance with federal regulations (40 CFR 130.7) and are exempt from the provisions of Article II of the Virginia Administrative Process Act. The reports were subject to the TMDL public participation process contained in DEQ's Public Participation Procedures for Water Quality Management Planning. The public comment process provides the affected stakeholders an opportunity for public appeal of the TMDLs. EPA approved all TMDLs presented under this public notice. The approved reports can be found at <http://www.deq.virginia.gov/tmdl>.

Affected Waterbodies and Localities:

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

"Benthic TMDL Development for South Run, Virginia" - South Run benthic TMDL, located in Fauquier County, proposes phosphorus reductions for portions of the watershed and provides a total phosphorus wasteload allocation of 0.038 tons/year.

"Total Maximum Daily Load Development for Lewis Creek, General Standard (Benthic)" - Lewis Creek benthic TMDL, located in Augusta County and the City of Staunton, proposes reductions of sediment, lead and polycyclic aromatic hydrocarbons (PAHs) for portions of the watershed. The WLAs are 40 tons/year for sediment, 0 kg/year for lead and 0 kg/year for PAHs.

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

"Total Maximum Daily Load Development for Chestnut Creek, Fecal Bacteria and General Standard (Benthic)" - Chestnut Creek benthic TMDL, located in Carroll and Grayson Counties and the City of Galax, proposes sediment reductions for portions of the watershed and provides a sediment wasteload allocation of 18.9 tons/year. To address a bacteria impairment, this TMDL report also proposes bacteria reductions for portions of the watershed. No regulatory amendments pertaining to these bacteria reductions are proposed.

How to comment: The DEQ accepts written comments by email, fax and postal mail. All written comments must include the full name, address and telephone number of the person commenting and be received by DEQ by 5 p.m. on the last day of the comment period.

How a decision is made: After comments have been considered, the board will make the final decision. Citizens that submit statements during the comment period may address the board members during the board meeting at which a final decision is made on the proposal.

To review documents: The TMDL reports and the proposed regulatory amendments are available on the DEQ website at <http://www.deq.virginia.gov/tmdl/> and by contacting the DEQ representative named below. The electronic copies are in PDF format and may be read online or downloaded.

Contact for public comments, document requests and additional information: Jutta Schneider, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23219, telephone (804) 698-4099, FAX (804) 698-4116 or email [jschneider@deq.virginia.gov](mailto:jschneider@deq.virginia.gov).

### **Announcement of a Total Maximum Daily Load (TMDL) Study to Restore Water Quality in Streams Located in the Upper Rappahannock River Basin That Are Contaminated With Bacteria**

Purpose of notice: The Virginia Department of Environmental Quality (DEQ) and the Virginia Department of Conservation and Recreation (DCR) announce the first series of public

meetings to introduce the Upper Rappahannock River Basin TMDL study.

Public meetings:

Public Meeting #1, Wednesday, October 4, 2006  
7 p.m. to 9 p.m. – Mt. Nebo Church  
3890 Jacks Shop Road, Rochelle, VA 22738

Public Meeting #2, Wednesday, October 11, 2006  
7 p.m. to 9 p.m. – Rappahannock County Library, Jamieson Meeting Room  
4 Library Road, Washington, VA 22747

Public Meeting #3, Tuesday, October 17, 2006  
7 p.m. to 9 p.m. – St. Luke’s Church  
400 Church Street, Remington, VA 22734

Public Meeting #4, Wednesday, October 18, 2006  
7 p.m. to 9 p.m. – Germanna Community College  
2130 Germanna Highway, Locust Grove, VA 22508

Meeting description: This series of public meetings are the first round of meetings to introduce this project to the public. The TMDL study addresses elevated levels of bacteria in 16 stream segments in the Upper Rappahannock River Basin.

Description of study: DEQ and DCR are working together to identify sources of bacteria contamination in stream segments in the Upper Rappahannock River Basin. The impaired stream segments are located in parts of Albemarle, Culpeper, Fauquier, Greene, Madison, Orange, Rappahannock, and Spotsylvania counties, and their location is set forth in the table below.

Impaired Stream Segments Addressed in the Upper Rappahannock TMDL					
Stream Name	Locality	Impairment	Length (miles)	Upstream Limit	Downstream Limit
Hughes River	Culpeper Rappahannock	Bacteria	3.68	Kilbys Run	Hazel River
Hazel River	Culpeper	Bacteria	16.67	Rt. 707 Bridge	Unnamed Tributary
Hazel River	Culpeper	Bacteria	3.32	Indian Run	Muddy Run
Rush River	Rappahannock	Bacteria	4.55	Unnamed Tributary	Big Branch
Rappahannock River	Fauquier Rappahannock	Bacteria	2.17	Jordan River	UT
Marsh Run	Fauquier	Bacteria	8.35	Craig Run	Rappahannock River
Browns Run	Fauquier	Bacteria	2.39	Unnamed Tributary	Marsh Run
Craig Run	Fauquier	Bacteria	3.61	Headwaters of Craig Run	Marsh Run
Rappahannock River	Culpeper Fauquier	Bacteria	2.02	Ruffans Run	Tinpot Run
Rappahannock River	Culpeper Fauquier	Bacteria	2.85	Unnamed Tributary	Marsh Run
Blue Run	Orange Albemarle	Bacteria	11.61	Headwaters of Blue Run	Rapidan River
Rapidan River	Culpeper Madison Orange	Bacteria	7.5	Poplar Run	Robinson River
Marsh Run	Greene Madison Orange	Bacteria	5.19	Headwaters of Marsh Run	Rapidan River
Unnamed Tributary to Rapidan River	Madison Orange	Bacteria	2.57	Headwaters of Unnamed Tributary	Rapidan River
Cedar Run	Culpeper Orange	Bacteria	5.4	Buck Run	Rapidan River
Rapidan River	Culpeper Spotsylvania	Bacteria	2.68	Wilderness Run	Middle Run

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## General Notices/Errata

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During the study, DEQ will develop a total maximum daily load, or a TMDL, for each of the impaired stream segments. A TMDL is the total amount of a pollutant a water body can contain and still meet water quality standards. To restore water quality, contamination levels have to be reduced to the TMDL allocated amount.

How to comment: The public comment period for this series of meetings will extend from October 4, 2006, to November 2, 2006. DEQ accepts written comments by email, fax, or postal mail. Written comments should include the name, address, and telephone number of the person commenting and be received by DEQ during the comment period. Fact Sheets on the impaired segments are available from the contact below.

Contact for additional information: Katie Conaway, Virginia Department of Environmental Quality, 13901 Crown Court, Woodbridge, VA 22193, telephone (703) 583-3804, email [mkconaway@deq.virginia.gov](mailto:mkconaway@deq.virginia.gov).

### **VIRGINIA CODE COMMISSION**

#### **Notice to State Agencies**

**Mailing Address:** Virginia Code Commission, 910 Capitol Street, General Assembly Building, 2nd Floor, Richmond, VA 23219, FAX (804) 692-0625.

#### **Forms for Filing Material for Publication in the Virginia Register of Regulations**

All agencies are required to use the appropriate forms when furnishing material for publication in the Virginia Register of Regulations. The forms may be obtained from: Virginia Code Commission, 910 Capitol Street, General Assembly Building, 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591.

**Internet:** Forms and other Virginia Register resources may be printed or downloaded from the Virginia Register web page: <http://register.state.va.us>.

#### **FORMS:**

NOTICE of INTENDED REGULATORY ACTION-RR01  
NOTICE of COMMENT PERIOD-RR02  
PROPOSED (Transmittal Sheet)-RR03  
FINAL (Transmittal Sheet)-RR04  
EMERGENCY (Transmittal Sheet)-RR05  
NOTICE of MEETING-RR06  
AGENCY RESPONSE TO LEGISLATIVE  
OBJECTIONS-RR08  
RESPONSE TO PETITION FOR RULEMAKING-RR13  
FAST-TRACK RULEMAKING ACTION-RR14

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# CALENDAR OF EVENTS

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## Symbol Key

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

♿ Location accessible to persons with disabilities

☎ Teletype (TTY)/Voice Designation

## NOTICE

Only those meetings which are filed with the Registrar of Regulations by the filing deadline noted at the beginning of this publication are listed. Since some meetings are called on short notice, please be aware that this listing of meetings may be incomplete. Also, all meetings are subject to cancellation and the *Virginia Register* deadline may preclude a notice of such cancellation. If you are unable to find a meeting notice for an organization in which you are interested, please check the Commonwealth Calendar at [www.virginia.gov](http://www.virginia.gov) 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 website's Legislative Information System (<http://leg1.state.va.us/lis.htm>) and select "Meetings."

VIRGINIA CODE COMMISSION

## EXECUTIVE

### BOARD OF ACCOUNTANCY

† **October 3, 2006 - 1 p.m.** -- Open Meeting  
Department of Professional and Occupational Regulation,  
3600 West Broad Street, Suite 378, Richmond, Virginia.♿  
(Interpreter for the deaf provided upon request)

A meeting of the Administrative/Personnel/Finance/Public Relations Committee to discuss personnel matters in executive session. No public comment will be accepted at the meeting. All meetings are subject to change. 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:** Nancy Taylor Feldman, Executive Director/Agency Head, Board of Accountancy, 3600 W. Broad St., Suite 378, Richmond, VA 23230, telephone (804) 367-8505, FAX (804) 367-2174, (804) 367-9753/TTY☎, email [boa@boa.virginia.gov](mailto:boa@boa.virginia.gov).

† **October 10, 2006 - 9 a.m.** -- Open Meeting  
† **October 27, 2006 - 9 a.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, 2nd Floor, Richmond, Virginia.♿ (Interpreter for the deaf provided upon request)

A meeting of the Legislative Working Group to discuss general matters about statutory review. Public comment will not be taken at the meeting. The public may observe and submit comments in writing within 10 days following the meeting. All meetings are subject to change. 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:** Nancy Taylor Feldman, Executive Director/Agency Head, Board of Accountancy, 3600 W. Broad St., Suite 378, Richmond, VA 23230, telephone (804) 367-8505, FAX (804) 367-2174, (804) 367-9753/TTY☎, email [boa@boa.virginia.gov](mailto:boa@boa.virginia.gov).

† **October 24, 2006 - 10 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation,  
3600 West Broad Street, Suite 396, Richmond, Virginia.♿  
(Interpreter for the deaf provided upon request)

A meeting to conduct general business matters and regulatory review. A public comment period will be held at the beginning of the meeting. All meetings are subject to change. 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:** Nancy Taylor Feldman, Executive Director/Agency Head, Board of Accountancy, 3600 W. Broad St., Suite 378, Richmond, VA 23230, telephone (804) 367-8505, FAX (804) 367-2174, (804) 367-9753/TTY☎, email [boa@boa.virginia.gov](mailto:boa@boa.virginia.gov).

### STATE AIR POLLUTION CONTROL BOARD

**October 12, 2006 - 7 p.m.** -- Public Hearing  
Galax Public Library, 610 West Stuart Drive, Galax, Virginia.♿

A public hearing to receive comments on an application for renewal of the Title V operating permit for Galax Energy Concepts, LLC, located in Galax, Virginia. In addition, an information briefing will convene at 6:30 p.m. on the same day and at the same location as the public hearing. The



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## Calendar of Events

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public comment period begins on September 6, 2006, and ends on October 27, 2006.

**Contact:** Robert Lowe, State Air Pollution Control Board, P.O. Box 1688, Abingdon, VA 24212, telephone (276) 676-4863, FAX (276) 676-4899, email ralowe@deq.virginia.gov.

† **October 25, 2006 - 7 p.m.** -- Public Hearing  
Henry County Administrative Building, 3300 Kings Mountain Road, Main Board Meeting Room, Martinsville, Virginia. ♿

A public hearing on an application for an amendment to a permit for operating a scrap tire fueled boiler in Henry County. The amendment would revise emission limits and control equipment requirements, based on changes to the method of operation initially proposed for the facility. An informational briefing will be held prior to the public hearing beginning at 6:30 p.m. The public comment period began on September 17, 2006, and closes on October 23, 2006.

**Contact:** Gary R. Bradley, State Air Pollution Control Board, 3019 Peters Creek Rd., Roanoke, VA 24019, telephone (540) 562-6738, FAX (540) 562-6729, email grbradley@deq.virginia.gov.

### ALCOHOLIC BEVERAGE CONTROL BOARD

**October 2, 2006 - 9 a.m.** -- Open Meeting

**October 16, 2006 - 9 a.m.** -- Open Meeting

**November 6, 2006 - 9 a.m.** -- Open Meeting

**November 20, 2006 - 9 a.m.** -- Open Meeting

**December 4, 2006 - 9 a.m.** -- Open Meeting

**December 18, 2006 - 9 a.m.** -- Open Meeting

Department of Alcoholic Beverage Control, 2901 Hermitage Road, Richmond, Virginia. ♿

An executive staff 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 ♿, email curtis.coleburn@abc.virginia.gov.

### BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS, CERTIFIED INTERIOR DESIGNERS AND LANDSCAPE ARCHITECTS

**October 25, 2006 - 9 a.m.** -- Open Meeting

Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. ♿

A meeting of the Architects Section to conduct board business. 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:** Mark N. Courtney, Executive Director, Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8514, FAX (804) 367-2475 or email apelscidla@dpor.virginia.gov.

**October 31, 2006 - 9 a.m.** -- Open Meeting

Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. ♿

A meeting of the Professional Engineers Section to conduct board business. 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:** Mark N. Courtney, Executive Director, Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8514, FAX (804) 367-2475 or email apelscidla@dpor.virginia.gov.

**November 2, 2006 - 9 a.m.** -- Open Meeting

Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. ♿

A meeting of the Landscape Architects Section to conduct board business. 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:** Mark N. Courtney, Executive Director, Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8514, FAX (804) 367-2475 or email apelscidla@dpor.virginia.gov.


**November 8, 2006 - 9 a.m.** -- Open Meeting

Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, IFF Room 1, Richmond, Virginia. ♿

A meeting of the Land Surveyors Section to conduct board business. 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:** Mark N. Courtney, Executive Director, Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8514, FAX (804) 367-2475 or email [apelscidla@dpor.virginia.gov](mailto:apelscidla@dpor.virginia.gov).

**November 9, 2006 - 9 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, IFF Room 1, Richmond, Virginia. 


A meeting of the Interior Designers Section to conduct board business. 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:** Mark N. Courtney, Executive Director, Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8514, FAX (804) 367-2475 or email [apelscidla@dpor.virginia.gov](mailto:apelscidla@dpor.virginia.gov).


## ART AND ARCHITECTURAL REVIEW BOARD

**October 6, 2006 - 10 a.m.** -- Open Meeting  
**November 3, 2006 - 10 a.m.** -- Open Meeting  
**December 1, 2006 - 10 a.m.** -- Open Meeting  
Science Museum of Virginia, 2500 West Broad Street, Forum Room, 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.virginia.gov](http://www.dgs.virginia.gov). 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:** Brian Ohlinger, AIA, Chairman, Art and Architectural Review Board, 700 West Grace Street, Suite 2200, Richmond, VA 23284, telephone (804) 828-9647, FAX (804) 828-1288, (804) 786-6152/TTY , or email [bjohling@vcu.edu](mailto:bjohling@vcu.edu).

## VIRGINIA COMMISSION FOR THE ARTS


**October 3, 2006 - 10 a.m.** -- Open Meeting  
Virginia Commission for the Arts, 223 Governor Street, Richmond, Virginia. 

A Fiction B Fellowship Panel meeting to review the second half of the writer applications for fellowships in fiction. The applications will be divided alphabetically. The meeting is scheduled to last until 5 p.m. as needed.


**Contact:** Peggy Baggett, Executive Director, Virginia Commission for the Arts, 223 Governor St., Richmond, VA 23219, telephone (804) 225-3132, FAX (804) 225-4327, (804) 225-3132/TTY , email [peggy.baggett@arts.virginia.gov](mailto:peggy.baggett@arts.virginia.gov).

**October 19, 2006 - 10 a.m.** -- Open Meeting  
Location to be announced.  (Interpreter for the deaf provided upon request)


A quarterly meeting of the 13 commissioners to review grant award recommendations by the three Artist Fellowship Panels and by the Technology Enhancement Grant Panel.

**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 , email [peggy.baggett@arts.virginia.gov](mailto:peggy.baggett@arts.virginia.gov).

## VIRGINIA BOARD FOR ASBESTOS, LEAD, AND HOME INSPECTORS

**November 1, 2006 - 9 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. 

A general business meeting including consideration of regulatory issues as may be presented on the agenda. A portion of the board's business may be discussed in closed session. Public comment will be heard at the beginning of the meeting. 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:** David Dick, Executive Director, Virginia Board for Asbestos, Lead, and Home Inspectors, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8507, FAX (804) 367-2475, (804) 367-9753/TTY , email [alhi@dpor.virginia.gov](mailto:alhi@dpor.virginia.gov).

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# Calendar of Events

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## December 15, 2006 - 9 a.m. -- Open Meeting


Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, Room 453, Richmond, Virginia. 

A licensing informal fact-finding conference.

**Contact:** David Dick, Assistant 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 , email asbestos@dpor.virginia.gov.

## ASSISTIVE TECHNOLOGY LOAN FUND AUTHORITY

### † October 5, 2006 - 9 a.m. -- Open Meeting


1602 Rolling Hills Drive, Suite 107, Richmond, Virginia.   
(Interpreter for the deaf provided upon request)

A regular quarterly business meeting of the Board of Directors.


**Contact:** Joey Wallace, Ph.D., Executive Director, Assistive Technology Loan Fund Authority, 1602 Rolling Hills Dr., Suite 107, Richmond, VA 23229, telephone (804) 662-9997, FAX (804) 662-9533, toll-free (866) 835-5976, email joey.wallace@atfa.org.

## AUCTIONEERS BOARD

### October 5, 2006 - 10 a.m. -- Open Meeting

Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. 

A meeting to conduct board business. The meeting is open to the public; however, a portion of the board's business may be discussed in closed session. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the department at least 10 days prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

**Contact:** Marian H. Brooks, Regulatory Board Administrator, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY , email auctioneers@dpor.virginia.gov.

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### October 5, 2006 - 10 a.m. -- Public Hearing

Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia.

**November 3, 2006** - 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 Auctioneers Board intends to


amend regulations entitled **18 VAC 25-21, Regulations of the Virginia Auctioneers Board**. The purpose of the proposed action is to develop necessary regulations to implement a mandatory continuing education program for the renewal and reinstatement of auctioneer licenses as required by Chapter 956 of the 2004 Acts of Assembly.

Statutory Authority: §§ 54.1-201, 54.1-602 and 54.1-603.1 of the Code of Virginia.


**Contact:** Marian H. Brooks, Board Administrator, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-0785 or email auctioneers@dpor.virginia.gov.

## BOARD FOR BARBERS AND COSMETOLOGY

### November 6, 2006 - 9 a.m. -- Open Meeting

Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, Richmond, Virginia. 


A general business meeting to include consideration of regulatory issues as may be presented on the agenda. The meeting is open to the public; however, a portion of the board's business may be discussed in closed session. Public comment will be heard at the beginning of the meeting. 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:** 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 , email barbercosmo@dpor.virginia.gov.


## DEPARTMENT FOR THE BLIND AND VISION IMPAIRED

### State Plan for Vocational Rehabilitation


#### † October 4, 2006 - 3 p.m. -- Open Meeting


Department for the Blind and Vision Impaired, 111 Commonwealth Avenue, Bristol, Virginia.  (Interpreter for the deaf provided upon request)


#### † October 5, 2006 - 7 p.m. -- Open Meeting

Anthony's, 309 West Broad Street, Falls Church, Virginia.  (Interpreter for the deaf provided upon request)


#### † October 6, 2006 - 5 p.m. -- Open Meeting

† October 27, 2006 - 5 p.m. -- Open Meeting  
Crowne Plaza Hotel Richmond West, 6531 West Broad Street, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


† **October 18, 2006 - 7 p.m.** -- Open Meeting  
Lions Sight Foundation and Vision Impaired, 501 Elm Avenue, SW, Roanoke, Virginia.  (Interpreter for the deaf provided upon request)

† **October 21, 2006 - 2 p.m.** -- Open Meeting  
LeiAunte's, 213 Gramby Street, Norfolk, Virginia.  (Interpreter for the deaf provided upon request)


A meeting to solicit comments from the public regarding the department for the Blind and Vision Impaired's intent to amend its state plan for vocational rehabilitation (VR) to identify by category the order in which eligible VR clients will be served in the event resources are not available to serve all eligible VR clients.

**Contact:** Susan D. Payne, VR Program Director, Department for the Blind and Vision Impaired, 397 Azalea Ave., Richmond, VA 23227, telephone (804) 373-3184, FAX (804) 371-3390, toll-free (800) 622-2155, (804) 371-3140/TTY , email susan.payne@dbvi.virginia.gov.


## BOARD FOR BRANCH PILOTS

**November 1, 2006 - 8:30 a.m.** -- Open Meeting  
Virginia Port Authority, 600 World Trade Center, Norfolk, Virginia. 

A meeting of the Examination Administrators 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. All meetings are subject to cancellation. 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:** Mark N. Courtney, Executive Director, Board for Branch Pilots, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY , email branchpilots@dpor.virginia.gov.

**November 1, 2006 - 9:30 a.m.** -- Open Meeting


**December 11, 2006 - 9:30 a.m.** -- Open Meeting  
Virginia Port Authority, 600 World Trade Center, Norfolk, 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. All meetings are subject to cancellation. 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:** Mark N. Courtney, Executive Director, Board for Branch Pilots, 3600 W. Broad St., Richmond, VA 23230,

telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY , email branchpilots@dpor.virginia.gov.


**December 4, 2006 - 9 a.m.** -- Open Meeting

**December 5, 2006 - 9 a.m.** -- Open Meeting  
Virginia Pilot Association, 3329 Shore Drive, Virginia Beach, Virginia. 


A meeting to conduct examinations for renewal of licenses.

**Contact:** Mark N. Courtney, Executive Director, Board for Branch Pilots, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY , email branchpilots@dpor.virginia.gov.

## CEMETERY BOARD

**October 17, 2006 - 9 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, Richmond, Virginia. 

A meeting to discuss board business.

**Contact:** Christine Martine, Executive Director, Cemetery Board, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8552, FAX (804) 367-6946, (804) 367-9753/TTY , email cemetery@dpor.virginia.gov.

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**October 17, 2006 - 10:30 a.m.** -- Public Hearing  
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia.


**November 4, 2006** - 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 Cemetery Board intends to amend regulations entitled **18 VAC 47-20, Cemetery Board Rules and Regulations**. The purpose of the proposed action is to replace emergency regulations with permanent regulations.

Statutory Authority: §§ 54.1-201 and 54.1-2313 of the Code of Virginia.

**Contact:** Christine Martine, Executive Director, Cemetery Board, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8552, FAX (804) 367-6946 or email cemetery@dpor.virginia.gov.

## CHARITABLE GAMING BOARD

**December 5, 2006 - 10 a.m.** -- Open Meeting  
Science Museum of Virginia, 2500 West Broad Street, Richmond, Virginia. 

A regular board meeting.

**Contact:** Clyde E. Cristman, Director, Department of Charitable Gaming, James Monroe Bldg., 101 N. 14th St.,

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## Calendar of Events

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17th Floor, Richmond, VA 23219, telephone (804) 786-1681,  
FAX (804) 786-1079, email  
clyde.cristman@dca.virginia.gov.

### CHESAPEAKE BAY LOCAL ASSISTANCE BOARD

**October 31, 2006 - 10 a.m.** -- Open Meeting  
James Monroe Building, 101 North 14th Street, 17th Floor  
Conference Room, Richmond, Virginia.

A regular meeting of the Northern Area Review Committee  
to review 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, email  
david.dowling@dcr.virginia.gov.

**October 31, 2006 - 2 p.m.** -- Open Meeting  
James Monroe Building, 101 North 14th Street, 17th Floor  
Conference Room, Richmond, Virginia.

A regular meeting of the Southern Area Review Committee  
to review 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, email  
david.dowling@dcr.virginia.gov.

**December 11, 2006 - 10 a.m.** -- Open Meeting  
Location to be announced.

A regular meeting to review 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, email  
david.dowling@dcr.virginia.gov.

### CHILD DAY-CARE COUNCIL

**October 20, 2006** - 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 Child Day-Care Council intends  
to amend regulations entitled **22 VAC 15-10, Public  
Participation Guidelines**. The purpose of the proposed  
action is to make editorial changes throughout the  
regulation to improve clarity. 22 VAC 15-10-40 will be  
amended to reflect the provisions of Chapter 241 of the  
2002 Acts of Assembly that changed the provisions for a  
person to petition the council to take a rulemaking action.  
22 VAC 15-10-50 will be amended to reflect the statutory  
changes of Chapter 717 of the 1995 Acts of Assembly that  
make publication of proposed regulations in a newspaper of  
general circulation discretionary rather than mandatory.

Statutory Authority: §§ 2.2-4007 and 63.2-1735 of the Code  
of Virginia.

**Contact:** Richard Martin, Manager, Office of Legislative and  
Regulatory Affairs, Department of Social Services, 7 N. 8th  
St., Richmond, VA 23219, telephone (804) 726-7902, FAX  
(804) 726-7906 or email richard.martin@dss.virginia.gov.

### STATE CHILD FATALITY REVIEW TEAM

**November 17, 2006 - 10 a.m.** -- Open Meeting  
Office of the Chief Medical Examiner, 400 East Jackson  
Street, Richmond, Virginia. ☎

The business portion of the State Child Fatality Review  
Team meeting, from 10 a.m. to 10:30 a.m., is open to the  
public. At the conclusion of the open meeting, the team  
will go into closed session for confidential case review.

**Contact:** Rae Hunter-Havens, Coordinator, State Child  
Fatality Review, 400 E. Jackson St., Richmond, VA 23219,  
telephone (804) 786-1047, FAX (804) 371-8595, toll-free  
(800) 447-1708, email rae.hunter-havens@vdh.virginia.gov.

### COMPENSATION BOARD

**October 18, 2006 - 11 a.m.** -- Open Meeting  
102 Governor Street, Lower Level, Room LL22, Richmond,  
Virginia. ☎

A monthly board meeting.

**Contact:** Cindy Waddell, Compensation Board, P.O. Box  
710, Richmond, VA 23218, telephone (804) 225-3308, FAX  
(804) 371-0235, email cindy.waddell@scb.virginia.gov.

### DEPARTMENT OF CONSERVATION AND RECREATION

**October 3, 2006 - 9 a.m.** -- Open Meeting  
**October 16, 2006 - 9 a.m.** -- Open Meeting  
**October 26, 2006 - 9 a.m.** -- Open Meeting  
Location to be determined.

A Technical Advisory Committee meeting to assist the  
department in considering revisions to the Virginia Soil and  
Water Conservation Boards Virginia Stormwater  
Management Program (VSMP) Permit Regulations.

**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, email  
david.dowling@dcr.virginia.gov.

**October 11, 2006 - 9 a.m.** -- Open Meeting

† **October 31, 2006 - 9 a.m.** -- Open Meeting  
John Tyler Community College, Nicholas Student Center,  
13101 Jefferson Davis Highway, Chester, Virginia.

A Technical Advisory Committee meeting to assist the department in considering revisions to the Virginia Soil and Water Conservation Board's Impounding Structure (Dam Safety) Regulations.

**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, email david.dowling@dcr.virginia.gov.

**October 12, 2006 - Noon** -- Open Meeting

**November 9, 2006 - Noon** -- Open Meeting

**December 14, 2006 - Noon** -- Open Meeting  
Richmond City Hall, 900 East Broad Street, 5th Floor,  
Planning Commission Conference Room, Richmond,  
Virginia.

A regular meeting of the Falls of the James Scenic River Advisory Committee 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, email david.dowling@dcr.virginia.gov.

† **October 18, 2006 - 10 a.m.** -- Open Meeting

Department of Forestry, 900 Natural Resources Drive,  
Charlottesville, Virginia.

A meeting of the Virginia Outdoors Plan Technical Advisory Committee. This is a meeting of a committee appointed by the Director of the Department of Conservation and Recreation to provide information and comments on development of the 2007 Virginia Outdoors Plan.

**Contact:** John R. Davy, Division Director, Planning and Recreation Resources, Department of Conservation and Recreation, 203 Governor St., Suite 326, Richmond, VA 23219, telephone (804) 786-1119, FAX (804) 371-7899, email john.davy@dcr.virginia.gov.

**October 19, 2006 - 7 p.m.** -- Open Meeting

Prince Edward County Courthouse, Board Room, Farmville,  
Virginia.

A meeting to receive comment from the public regarding the proposed High Bridge State Park Master Plan.

**Contact:** Robert S. Munson, Planning Bureau Manager, Department of Conservation and Recreation, 203 Governor St., Suite 326, Richmond, VA 23219, telephone (804) 786-6140, FAX (804) 371-7899, email robert.munson@dcr.virginia.gov.

**October 26, 2006 - 1 p.m.** -- Open Meeting

VDOT Training Center, Farmville, Virginia.

A meeting of the High Bridge State Park Master Plan Advisory Committee for continued discussion of the master plan development.

**Contact:** Robert S. Munson, Planning Bureau Manager, Department of Conservation and Recreation, 203 Governor St., Suite 326, Richmond, VA 23219, telephone (804) 786-6140, FAX (804) 371-7899, email robert.munson@dcr.virginia.gov.

**November 21, 2006 - 10 a.m.** -- Open Meeting

Location to be announced.

A meeting of the Virginia Land Conservation Foundation to review grant manual criteria.

**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, email david.dowling@dcr.virginia.gov.

## Virginia Scenic River Advisory Board

**October 5, 2006 - 10 a.m.** -- Open Meeting

Location to be announced.

A regular 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, email david.dowling@dcr.virginia.gov.

## Virginia Soil and Water Conservation Board

**November 16, 2006 - 9:30 a.m.** -- Open Meeting

Location to be announced.

A regular board 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, email david.dowling@dcr.virginia.gov.


## BOARD FOR CONTRACTORS

**October 3, 2006 - 9 a.m.** -- Open Meeting

**October 12, 2006 - 9 a.m.** -- Open Meeting

† **October 17, 2006 - 9 a.m.** -- Open Meeting

† **October 31, 2006 - 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.

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## Calendar of Events

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**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 ☎, email [contractors@dpor.virginia.gov](mailto:contractors@dpor.virginia.gov).

**October 12, 2006 - 9 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation,  
3600 West Broad Street, Room 453, Richmond, Virginia. ♿

An informal fact-finding conference for licensing (LRD).

**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 ☎, email [contractors@dpor.virginia.gov](mailto:contractors@dpor.virginia.gov).

**October 24, 2006 - 9 a.m.** -- Open Meeting

**November 28, 2006 - 9 a.m.** -- Open Meeting

† **December 19, 2006 - 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 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 ☎, email [contractors@dpor.virginia.gov](mailto:contractors@dpor.virginia.gov).

**November 28, 2006 - 1 p.m.** -- Open Meeting  
Department of Professional and Occupational Regulation,  
3600 West Broad Street, Richmond, Virginia. ♿

A quarterly meeting of the Board for Contractors Committee. The meeting starts after the Board for Contractors meeting.

**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 ☎, email [contractors@dpor.virginia.gov](mailto:contractors@dpor.virginia.gov).

### BOARD OF CORRECTIONS

**November 14, 2006 - 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, email [barbara.woodhouse@vadoc.virginia.gov](mailto:barbara.woodhouse@vadoc.virginia.gov).

**November 14, 2006 - 1 p.m.** -- Open Meeting  
Department of Corrections, 6900 Atmore Drive, 3rd Floor,  
Board Room, 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, email [barbara.woodhouse@vadoc.virginia.gov](mailto:barbara.woodhouse@vadoc.virginia.gov).

**November 15, 2006 - 9:30 a.m.** -- Open Meeting  
Department of Corrections, 6900 Atmore Drive, 3rd Floor,  
Room 3054, 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, email [barbara.woodhouse@vadoc.virginia.gov](mailto:barbara.woodhouse@vadoc.virginia.gov).

**November 15, 2006 - 10 a.m.** -- Open Meeting  
Department of Corrections, 6900 Atmore Drive, 3rd Floor  
Board Room, Richmond, Virginia. ♿

A regular meeting of the full board to review and discuss all matters considered by board committees that require presentation to and action 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, email [barbara.woodhouse@vadoc.virginia.gov](mailto:barbara.woodhouse@vadoc.virginia.gov).

### BOARD OF DENTISTRY

**October 6, 2006** - 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 Dentistry intends to amend regulations entitled **18 VAC 60-20, Board of Dentistry Regulations**. The purpose of the proposed action is to allow the board to accept other evidence of qualification for licensure from an applicant if a transcript of other documentation cannot be produced by a third-party entity from which it is required. It will also require an applicant to submit a current report from the National Practitioner Data Bank, which is produced along with the report that is currently required from the Healthcare Integrity and Protection Data Bank.

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

**Contact:** Sandra Reen, Executive Director, Board of Dentistry, 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9906, FAX (804) 662-7246, (804) 662-7197/TTY ☎, email sandra.reen@dhp.virginia.gov.

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**November 3, 2006** - Public comments may be submitted until 5 p.m. on this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board of Dentistry intends to amend regulations entitled **18 VAC 60-20, Regulations Governing the Practice of Dentistry and Dental Hygiene**. The purpose of the proposed action is to eliminate the requirement for a second person to be in the operatory with the dentist to monitor the patient during the administration of inhalation analgesia or nitrous oxide. Copies of the board's regulation may be found on the board's website at <http://dhp.virginia.gov/dentistry>.

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

Public comments may be submitted until 5 p.m. on November 3, 2006, to Sandra Reen, Executive Director, Board of Dentistry, 6603 West Broad Street, 5th Floor, Richmond, VA 23230-1712.

**Contact:** Elaine J. Yeatts, Regulatory Coordinator, Department of Health Professions, 6603 W. Broad St., Richmond, VA 23230, telephone (804) 662-9918, FAX (804) 662-9114 or email elaine.yeatts@dhp.virginia.gov.

**October 13, 2006 - 9 a.m.** -- Open Meeting

**October 27, 2006 - 9 a.m.** -- Open Meeting

**November 17, 2006 - 9 a.m.** -- Open Meeting

**December 15, 2006 - 9 a.m.** -- Open Meeting

Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia. ☎

A meeting of the Special Conference Committee to 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 ☎, email cheri.emma-leigh@dhp.virginia.gov.

**December 7, 2006 - 9 a.m.** -- Open Meeting

Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia. ☎

Informal conferences. There will not be a public comment period.

**Contact:** Cheri Emma-Leigh, Operations Manager, Board of Dentistry, 6603 W. Broad St., 5th Floor, Richmond, VA 23230, telephone (804) 662-9906, FAX (804) 662-7246, (804) 662-7197/TTY ☎, email cheri.emma-leigh@dhp.virginia.gov.

**December 8, 2006 - 9 a.m.** -- Open Meeting

Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia. ☎

A meeting to discuss board business. There will be a 15-minute 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) 662-7246, (804) 662-7197/TTY ☎, email sandra.reen@dhp.virginia.gov.

## DESIGN BUILD/CONSTRUCTION MANAGEMENT REVIEW BOARD

**October 19, 2006 - 11 a.m.** -- Open Meeting

**November 16, 2006 - 11 a.m.** -- Open Meeting

† **December 21, 2006 - 11 a.m.** -- Open Meeting

Department of General Services, 202 North Ninth Street, Room 412, Richmond, Virginia. ☎ (Interpreter for the deaf provided upon request)

A monthly meeting to review requests submitted by localities to use the design build or construction management type contracts. Contact the Division of Engineering and Buildings to confirm this meeting. Board rules and regulations can be obtained on-line at [www.dgs.virginia.gov](http://www.dgs.virginia.gov) under DGS Forms, Form #DGS-30-904.

**Contact:** Rhonda M. Bishton, Administrative Assistant, Division of Engineering and Buildings, Department of General Services, 202 N. Ninth St., Richmond, VA 23219, telephone (804) 786-3263, FAX (804) 371-7934, (804) 786-6152/TTY ☎, email rhonda.bishton@dgs.virginia.gov.

## BOARD OF EDUCATION

† **October 18, 2006 - 5 p.m.** -- Open Meeting

† **October 19, 2006 - 8:30 a.m.** -- Open Meeting

† **October 20, 2006 - 8:30 a.m.** -- Open Meeting

Holiday Inn, 1400 East Market Street, Harrisonburg, Virginia.

A meeting of the State Special Education Advisory Committee (SSEAC). For updates visit <http://www.doe.virginia.gov/VDOE/Instruction/Sped/sseac.html> or call 804-225-2707, TTY 800-422-1098.

**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,



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# Calendar of Events

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VA 23219, telephone (804) 225-2540, FAX (804) 225-2524, email [margaret.roberts@doe.virginia.gov](mailto:margaret.roberts@doe.virginia.gov).

**October 25, 2006 - 9 a.m.** -- Open Meeting

**November 29, 2006 - 9 a.m.** -- Open Meeting

James Monroe Building, 101 North 14th Street, Main Lobby Level, Conference Rooms C and D, Richmond, Virginia.   
(Interpreter for the deaf provided upon request)

A regular business meeting of the board. Public comment will be received. 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, email [margaret.roberts@doe.virginia.gov](mailto:margaret.roberts@doe.virginia.gov).

## SECRETARY OF EDUCATION

**October 4, 2006 - 10 a.m.** -- Open Meeting

**November 15, 2006 - 10 a.m.** -- Open Meeting

Capital One West Creek Campus, Town Center Building, Richmond, Virginia.

A full council meeting of the Start Strong Pre-K Council.


**Contact:** Kendall Tyree, Special Assistant to the Secretary of Education, 1111 E. Broad St., Richmond, VA 23219, telephone (804) 692-2550, email [kendall.tyree@governor.virginia.gov](mailto:kendall.tyree@governor.virginia.gov).

## LOCAL EMERGENCY PLANNING COMMITTEE - WINCHESTER

**November 6, 2006 - 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, Local Emergency Planning Committee, 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


**† October 4, 2006 - 7 p.m.** -- Open Meeting

Mt. Nebo Church, 3890 Jacks Shop Road, Rochelle, Virginia. 


**† October 11, 2006 - 7 p.m.** -- Open Meeting

Rappahannock County Library, Jamieson Meeting Room, 4 Library Road, Washington, Virginia. 

**† October 17, 2006 - 7 p.m.** -- Open Meeting

St. Luke's Church, 400 Church Street, Remington, Virginia. 


**† October 18, 2006 - 7 p.m.** -- Open Meeting

Germanna Community College, 2130 Germanna Highway, Locust Grove, Virginia. 

A public meeting on the development of bacteria TMDLs for streams in the Upper Rappahannock River Basin located in parts of Albemarle, Culpeper, Fauquier, Greene, Madison, Orange, Rappahannock and Spotsylvania counties. The public notice appears in the Virginia Register on October 2, 2006. The public comment period begins on October 4, 2006, and ends on November 2, 2006.


**Contact:** Katie Conaway, Department of Environmental Quality, 13901 Crown Court, Woodbridge, VA 22193, telephone (703) 583-3804, email [mkconaway@deq.virginia.gov](mailto:mkconaway@deq.virginia.gov)

**October 6, 2006 - 10 a.m.** -- Public Hearing

Department of Environmental Quality, Northern Regional Office, 13901 Crown Court, Woodbridge, Virginia. 

A public hearing on a proposed revision to the Commonwealth of Virginia State Implementation Plan. The hearing will be held to accept testimony concerning the proposed revision. The proposed revision is necessary to demonstrate that the Northern Virginia eight-hour moderate ozone nonattainment area meets the requirements of Reasonably Available Control Technology (RACT) set forth by the federal Clean Air Act (CAA). These jurisdictions are the City of Alexandria, Arlington County, the City of Fairfax, Fairfax County, the City of Falls Church, Loudoun County, the City of Manassas, the City of Manassas Park, and Prince William County. The CAA requires that states achieve the health-based 8-hour ozone National Ambient Air Quality Standard (NAAQS) by specified dates, based on the severity of an area's air quality problem. Furthermore, EPA's Final Rule to Implement the 8-Hour Ozone NAAQS (70 FR 71612, November 29, 2005) states that areas classified as "moderate" nonattainment for ozone must submit a demonstration that their existing rules fulfill the 8-hour ozone RACT requirements. RACT is the lowest emission limit that a particular source is capable of meeting by the application of control technology that is reasonably available considering technological and economic feasibility.


**Contact:** Doris A. McLeod, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4197, FAX (804) 698-4510, email damcleod@deq.virginia.gov.

**October 18, 2006 - 6:30 p.m.** -- Open Meeting  
Old Mathews Courthouse, 27 Court Street, Mathews, Virginia. 

A public meeting on the draft TMDL report for fecal coliform bacteria in shellfish propagation waters located in the East River in Mathews County. The public notice appears in the Virginia Register on September 18, 2006.

**Contact:** Chester Bigelow, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4554, FAX (804) 698-4116, email ccbigelow@deq.virginia.gov.

## VIRGINIA FIRE SERVICES BOARD

**† October 11, 2006 - 9:30 a.m.** -- Open Meeting  
Department of Forestry, 900 Natural Resources Drive, Charlottesville, Virginia.  (Interpreter for the deaf provided upon request)


A meeting of the Urban Wildlife and Fire Subcommittee.

**Contact:** Brook M. Pittinger, Quality Assurance Chief, Virginia Fire Services Board, 1005 Technology Park Dr., Glen Allen, VA 23059, telephone (804) 371-0220, toll-free (866) 482-3473, email brook.pittinger@vdfp.virginia.gov.

**† October 11, 2006 - 3 p.m.** -- Open Meeting  
South Hill Fire Department, 114 North Brunswick Avenue, South Hill, Virginia.

A meeting of the Executive Subcommittee.


**Contact:** Brook M. Pittinger, Quality Assurance Chief, Virginia Fire Services Board, 1005 Technology Park Dr., Glen Allen, VA 23059, telephone (804) 371-0220, toll-free (866) 482-3473, email brook.pittinger@vdfp.virginia.gov.

**October 12, 2006 - 10 a.m.** -- Open Meeting  
South Hill Fire Department, 114 North Brunswick Avenue, South Hill, Virginia.  (Interpreter for the deaf provided upon request)

Meetings of the following committees:


- 10 a.m. - Fire Education and Training
- 2 p.m. - Fire Prevention and Control
- 3 p.m. - Administration, Policy and Finance

**Contact:** Brook Pittinger, Department of Fire Services, 1005 Technology Park Dr., Glen Allen, VA 23059, telephone (804) 371-0220, email brook.pittinger@vdfp.virginia.gov.

**† October 12, 2006 - 5 p.m.** -- Open Meeting  
577 Watkins Road, Lacrosse, Virginia.  (Interpreter for the deaf provided upon request)

A tour of the Mecklenburg Burn Building.

**Contact:** Brook M. Pittinger, Quality Assurance Chief, Virginia Fire Services Board, 1005 Technology Park Dr., Glen Allen, VA 23059, telephone (804) 371-0220, toll-free (866) 482-3473, email brook.pittinger@vdfp.virginia.gov.

**October 13, 2006 - 9 a.m.** -- Open Meeting  
South Hill Fire Department, 114 North Brunswick Avenue, South Hill, Virginia.  (Interpreter for the deaf provided upon request)

A full board meeting.

**Contact:** Brook Pittinger, Virginia Fire Services Board, 1005 Technology Park Dr., Glen Allen, VA 23059, telephone (804) 371-0220, email brook.pittinger@vdfp.virginia.gov.

## FORENSIC SCIENCE BOARD

**October 10, 2006** - Public comments may be submitted until 5 p.m. on this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Department of Forensic Science intends to adopt regulations entitled **6 VAC 40-10, Public Participation Guidelines**. The purpose of the proposed action is to facilitate participation by the public in the formation of regulations that are being promulgated to carry out the legislative mandates of the Department of Forensic Science as required by § 2.2-4007 D of the Code of Virginia.


Statutory Authority: §§ 2.2-4007 and 9.1-1110 of the Code of Virginia.

**Contact:** Meghan Kish, Department of Forensic Science, 700 N. 5th St., Richmond, VA 23219, telephone (804) 786-1006, FAX (804) 786-6857 or email meghan.kish@dfs.virginia.gov.

## BOARD OF FUNERAL DIRECTORS AND EMBALMERS

**† October 11, 2006 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia. 

An informal conference to discuss and review allegations of cases that may have violated certain laws and regulations of the practice of funeral services and embalming.


**Contact:** Elizabeth Young, Executive Director, Board of Funeral Directors and Embalmers, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9907, FAX (804) 662-9523, (804) 662-7197/TTY , email elizabeth.young@dhp.virginia.gov.

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# Calendar of Events

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## BOARD FOR GEOLOGY

**October 18, 2006 - 9 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation,  
3600 West Broad Street, Richmond, Virginia. 

A general business meeting including consideration of regulatory issues as may be presented on the agenda. The meeting is open to the public; however, a portion of the board's business may be discussed in closed session. Public comment will be heard at the beginning of the meeting. Person 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:** David E. Dick, Regulatory Programs Coordinator, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8507, FAX (804) 367-6128, (804) 367-9753/TTY , email geology@dpor.virginia.gov.

## GEORGE MASON UNIVERSITY


**October 6, 2006 - 9 a.m.** -- Open Meeting  
**December 6, 2006 - 9 a.m.** -- Open Meeting  
Fairfax Campus, Mason Hall, Fairfax, Virginia. 

A meeting of the Board of Visitors. Agenda items will be posted 10 days prior to the meeting.

**Contact:** Mary Roper, Secretary Pro Tem, George Mason University, 4400 University Dr., Fairfax, VA 22030, telephone (703) 993-8703, toll-free (703) 993-8707, email mroper@gmu.edu.

## OFFICE OF GOVERNOR

### Olmstead Community Integration Implementation Team

**October 17, 2006 - 1 p.m.** -- Open Meeting  
**December 19, 2006 - 1 p.m.** -- Open Meeting  
Virginia Housing Development Authority, 601 South Belvidere Street, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A regular meeting.

**Contact:** Julie A. Stanley, Director, Community Integration for People with Disabilities, Office of Governor, 1111 E. Broad St., Richmond, VA 23219, telephone (804) 371-0828, FAX (804) 786-6984, email julie.stanley@governor.virginia.gov.

## STATE BOARD OF HEALTH

**October 4, 2006 - 7 p.m.** -- Public Hearing  
Henrico Training Center, 7701 East Parham Road, Rooms 2031 and 2032, Richmond, Virginia.

**November 10, 2006** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Health intends to amend regulations entitled **12 VAC 5-585, Biosolids Use Regulations**. The purpose of the proposed action is to provide regulations and standards for training, testing and certification of persons land applying Class B sewage sludge (biosolids) in the Commonwealth, and for revoking, suspending or denying such certification from any person for cause. The amended regulations are to include standards and criteria for the approval of instructional programs to be taught by governmental entities and by the private sector for the purpose of certifying biosolids land applicators.

Statutory Authority: § 32.1-164.5 of the Code of Virginia.

**Contact:** C.M. Sawyer, Division Director, Department of Health, 109 Governor St., 5th Floor, Richmond, VA 23219, telephone (804) 864-7463, FAX (804) 864-7475 or email cal.sawyer@vdh.virginia.gov.

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**October 11, 2006 - 3 p.m.** -- Public Hearing  
Department of Health, Madison Building, 109 Governor Street, 5th Floor Conference Room, Richmond, Virginia.

**October 20, 2006** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Health intends to consider adopting regulations entitled **12 VAC 5-125, Regulations for Bedding and Upholstered Furniture Inspection Program**. The purpose of the proposed action is to ensure that only safe and healthy bedding and upholstered furniture products are being sold in the Commonwealth, that uniformity with other state bedding programs be maintained, and that the Code of Virginia be enforced.

Statutory Authority: §§ 32.1-224 and 59.1-200 of the Code of Virginia.

**Contact:** Gary L. Hagy, Director, Division of Food and Environmental Services, Department of Health, 109 Governor St., 5th Floor, Richmond, VA 23219, telephone (804) 864-7455, FAX (804) 864-7475 or email gary.hagy@vdh.virginia.gov.

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**October 23, 2006** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Health intends to repeal regulations entitled **12 VAC 5-70, Regulations Governing the Newborn Screening and Treatment Program**, and adopt regulations entitled **12 VAC 5-71, Regulations Governing Virginia Newborn Screening Services**. The purpose of the proposed action is to expand newborn screening services as required by Chapter 721 of the 2005 Acts of Assembly.

Statutory Authority: § 32.1-12 and Article 7 (§ 32.1-65 et seq.) of Chapter 2 of Title 32.1 of the Code of Virginia.

Public comments may be submitted until October 23, 2006.

**Contact:** Nancy Ford, Division of Child and Adolescent Health, Department of Health, 109 Governor St., Richmond, VA 23219, telephone (804) 864-7691, FAX (804) 864 7647, or email [nancy.ford@vdh.virginia.gov](mailto:nancy.ford@vdh.virginia.gov).

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**November 18, 2006** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Health intends to repeal regulations entitled **12 VAC 5-40, Regulations Governing Financial Assistance for Emergency Medical Services**, and amend regulations entitled **12 VAC 5-31, Virginia Emergency Medical Services Regulations**. The purpose of the proposed action is to adopt regulations for designation of regional EMS councils and revise regulations regarding the Rescue Squad Assistance Fund (RSAF) combining them with all regulations governing EMS in Virginia.

Statutory Authority: §§ 32.1-12, 32.1-111.4 and 32.1-111.11 of the Code of Virginia.

**Contact:** Michael D. Berg, Manager, Regulation and Compliance, 109 Governor St, UB-55, Richmond, VA 23219, telephone (804) 864-7615, FAX (804) 864-7580, toll-free 1-800-523-6019 or email [michael.berg@vdh.virginia.gov](mailto:michael.berg@vdh.virginia.gov).


## DEPARTMENT OF HEALTH

† **October 3, 2006 - 10 a.m.** -- Open Meeting  
Department of Health, 109 Governor Street, Room 219, Richmond, Virginia. 

The purpose of the African American Faith Initiative Request for Proposals (RFP) is to establish contracts through competitive negotiations with African American faith institutions/organizations for the development and implementation of and/or enhancement of existing faith-


based HIV prevention services in Virginia. The purpose of the pre-proposal conference is to explain in more detail and answer questions concerning the contents of the RFP.

**Contact:** Marquetta Alston, HIV/STD Prevention and Training Coordinator, Department of Health, 109 Governor St., Room 326, Richmond, VA 23219, telephone (804) 864-8006, FAX (804) 864-8053, email [marquetta.alston@vdh.virginia.gov](mailto:marquetta.alston@vdh.virginia.gov).

**October 3, 2006 - 10 a.m.** -- Open Meeting  
Division of Consolidated Laboratory Services, 600 North 5th Street, Training Room T-23, Richmond, Virginia. 


A meeting of the Genetics Advisory Committee to advise the Department of Health on coordinating access to clinical genetics services across the Commonwealth and assuring the provision of genetic awareness and quality services and education for consumers and providers taking into consideration issues of confidentiality, privacy and consent.

**Contact:** Nancy Ford, Director, Pediatric Screening and Genetic Services, Department of Health, 109 Governor St., Richmond, VA 23219, telephone (804) 864-7691, email [nancy.ford@vdh.virginia.gov](mailto:nancy.ford@vdh.virginia.gov).


† **October 11, 2006 - 1 p.m.** -- Open Meeting  
Medical Society of Virginia, 2924 Emerywood Parkway, Richmond, Virginia. 


A meeting of the State Medical Facilities Plan Advisory Committee to address issues concerning the proposed state medical facilities plan.

**Contact:** Carrie Eddy, Senior Policy Analyst, Department of Health, 3600 W. Broad St., Suite 216, Richmond, VA 23230, telephone (804) 367-2157, FAX (804) 367-2149, email [carrie.eddy@vdh.virginia.gov](mailto:carrie.eddy@vdh.virginia.gov).

† **October 17, 2006 - 1 p.m.** -- Open Meeting  
Norfolk Public Health Department, 830 Southampton Avenue, 2nd Floor Library, Room 2005, Norfolk, Virginia. 

† **November 1, 2006 - 1 p.m.** -- Open Meeting

† **December 10, 2006 - 1 p.m.** -- Open Meeting  
Holiday Inn Tanglewood, 4468 Starkey Road SW, Roanoke, Virginia. 

† **November 2, 2006 - 10:30 a.m.** -- Open Meeting  
Northern Virginia Regional Commission, 3060 Williams Drive, Suite 510, Fairfax, Virginia. 

A meeting to solicit public comment for the Virginia Department of Health use of Ryan White CARE Act Title II funds during the 2007-2008 grant year and issues, barriers and emerging risk behaviors related to HIV prevention. Check the Commonwealth Calendar for additional public hearings in other regions of the Commonwealth.

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## Calendar of Events

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**Contact:** Ben Alonso, Health Care Planner, Department of Health, 109 Governor St., Room 326, Richmond, VA 23219, telephone (804) 864-8022, FAX (804) 864-8050, email ben.alonso@vdh.virginia.gov.

**November 16, 2006 - 9 a.m.** -- Open Meeting  
Department of Health, 109 Governor Street, 5th Floor, Conference Room, Richmond.  
Will also be scheduled in remote locations via video conference.

A meeting of the Authorized Onsite Soil Evaluator Regulations Advisory Committee to make recommendations to the commissioner regarding AOSE/PE policies and programs.


**Contact:** Dwayne Roadcap, Program Manager, Department of Health, 109 Governor St., Richmond, VA 23219, telephone (804) 864-7462, FAX (804) 864-7476, email dwayne.roadcap@vdh.virginia.gov.

**December 8, 2006 - 10 a.m.** -- Open Meeting  
Virginia Hospital and Healthcare Association, 4200 Innslake Drive, Glen Allen, Virginia. 


A meeting of the Virginia Early Hearing Detection and Intervention Program Advisory Committee to assist the Department of Health in the implementation of the Virginia Early Hearing Detection and Intervention Program. Public comment will not be received.


**Contact:** Pat Dewey, M.Ed., Program Manager, Department of Health, 109 Governor St., Richmond, VA 23219, telephone (804) 864-7713, email pat.dewey@vdh.virginia.gov.

### DEPARTMENT OF HEALTH PROFESSIONS


**October 4, 2006 - 11 a.m.** -- Open Meeting  
Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 1, Richmond, Virginia. 

A meeting of the Prescription Monitoring Program Advisory Committee to review data collected for the Program Evaluation Workplan and receive a progress report on the enhancement and expansion of the program. The committee will discuss the development of criteria to provide these reports and the resource information that will be provided with them. Public comments will be received during this meeting.


**Contact:** Ralph A. Orr, PMP, Program Manager, Department of Health Professions, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9133, FAX (804) 662-9240, (804) 662-7197/TTY , email ralph.orr@dhp.virginia.gov.

**† October 18, 2006 - 4 p.m.** -- Open Meeting  
Williamsburg Hospitality House, 415 Richmond Road, Williamsburg, Virginia. 


A general business meeting devoted largely to board member orientation and discussion of board organizational and workplan issues for each standing committee for the upcoming year. Public comment will be received at the beginning of the meeting.

**Contact:** Elizabeth A. Carter, Ph.D., Executive Director, Board of Health Professions, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-7013, FAX (804) 662-7098, (804) 662-7197/TTY , email elizabeth.carter@dhp.virginia.gov.

### BOARD FOR HEARING AID SPECIALISTS

**November 15, 2006 - 9 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, Richmond, Virginia. 

A general business meeting including consideration of regulatory issues as may be presented on the agenda. The meeting is open to the public; however, a portion of the board's business may be discussed in closed session. Public comment will be heard at the beginning of the meeting. Person 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:** 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 , email hearingaidspec@dpor.virginia.gov.

### STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA


**† October 17, 2006 - 12:30 p.m.** -- Open Meeting  
State Council of Higher Education for Virginia, 101 North 14th Street, Richmond, Virginia.

Committee meetings begin at 8:30 a.m. Agenda materials will be available on the website approximately one week prior to the meeting at [www.schev.edu](http://www.schev.edu). A public comment period will be allocated on the meeting agenda. To be scheduled, those interested in making public comment should contact the person listed below no later than 5 p.m. three business days prior to the meeting date. At the time of the request, the speaker's name, address and topic must be provided. Each speaker will be given up to three minutes to address SCHEV. Speakers are asked to submit a written copy of their remarks at the time of comment.


**Contact:** Lee Ann Rung, State Council of Higher Education for Virginia, 101 N 14th St., Richmond, VA 23219, telephone (804) 225-2602, FAX (804) 371-7911, email leeannrung@schev.edu.


## VIRGINIA HIGHER EDUCATION TUITION TRUST FUND

### Virginia College Savings Plan Board


**October 11, 2006 - 10 a.m.** -- Open Meeting  
James Monroe Building, 101 North 14th Street, 5th Floor, Virginia College Savings Plan Boardroom, Richmond, Virginia. 

A meeting of the Compensation Committee.

**Contact:** Jennifer Jones, Administrative Operations Specialist, Virginia Higher Education Tuition Trust Fund, James Monroe Bldg., 101 N. 14th St., 5th Floor, Richmond, VA 23219, telephone (804) 225-2853, FAX (804) 786-2453, toll-free (888) 567-0540, (804) 786-2766/TTY , email vcspinfo@virginia529.com.

**October 11, 2006 - 11 a.m.** -- Open Meeting  
James Monroe Building, 101 North 14th Street, 5th Floor, Virginia College Savings Plan Boardroom, Richmond, Virginia. 

A regular board meeting.

**Contact:** Jennifer Jones, Administrative Operations Specialist, Virginia Higher Education Tuition Trust Fund, James Monroe Bldg., 101 N. 14th St., 5th Floor, Richmond, VA 23219, telephone (804) 225-2853, FAX (804) 786-2453, toll-free (888) 567-0540, (804) 786-2766/TTY , email vcspinfo@virginia529.com.

## BOARD OF HOUSING AND COMMUNITY DEVELOPMENT

**October 6, 2006** - 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 Housing and Community Development intends to repeal regulations entitled **13 VAC 5-111, Enterprise Zone Regulations**, and adopt regulations entitled **13 VAC 5-112, Enterprise Zone Grant Program Regulations**. The purpose of the proposed action is to establish the processes and procedures for the new Real Property Investment Grants and the new Job Creation Grants and to establish new enterprise zone administration processes and procedures.

Statutory Authority: § 59.1-540 of the Code of Virginia.

**Contact:** Stephen W. Calhoun, Regulatory Coordinator, Department of Housing and Community Development, The Jackson Center, 501 N. 2nd St. Richmond, VA 23219-1321,

telephone (804) 371-7000, FAX (804) 371-7090, (804) 371-7089/TTY , email steve.calhoun@dhcd.virginia.gov.

## VIRGINIA COUNCIL ON HUMAN RESOURCES


**December 14, 2006 - 9:30 a.m.** -- Open Meeting  
James Monroe Building, 101 North 14th Street, PDS 4, Richmond, Virginia.

A quarterly meeting.

**Contact:** Charles Reed, Associate Director, Department of Human Resource Management, James Monroe Bldg., 101 N. 14th St., 13th Floor, Richmond, VA 23219, telephone (804) 786-3124, FAX (804) 371-2505, email charles.reed@dhrm.virginia.gov.

## VIRGINIA INFORMATION TECHNOLOGIES AGENCY


### Wireless E-911 Services Board

**November 8, 2006 - 10 a.m.** -- Open Meeting  
Richmond Plaza Building, 110 South 7th Street, 4th Floor Auditorium, Richmond, Virginia. 

A regular board meeting.


**Contact:** Steve Marzolf, Public Safety Communications Coordinator, Virginia Information Technologies Agency, 411 E. Franklin St., 5th Floor, Suite 500, Richmond, VA 23219, telephone (804) 371-0015, FAX (804) 371-2277, toll-free (866) 482-3911, email steve.marzolf@vita.virginia.gov.

## JAMESTOWN-YORKTOWN FOUNDATION

**October 19, 2006 - Noon** -- Open Meeting  
**December 6, 2006 - 2 p.m.** -- Open Meeting  
Richmond, Virginia. (call for specific location).  (Interpreter for the deaf provided upon request)

A regular meeting of the Executive Committee of the Jamestown 2007 Steering Committee.

**Contact:** Judith Leonard, Administrative Office Manager, Jamestown-Yorktown Foundation, 410 W. Francis St., Williamsburg, VA 23185, telephone (757) 253-4253, FAX (757) 253-4950, email judith.leonard@jyf.virginia.gov.

**November 20, 2006 - 10 a.m.** -- Open Meeting  
**November 21, 2006 - 8 a.m.** -- Open Meeting  
Crowne Plaza Fort Magruder, 6945 Pocahontas Trail, Williamsburg, Virginia.  (Interpreter for the deaf provided upon request)

The semiannual two-day Board of Trustees meeting. Public comment will be received on the second day of the meeting. Contact the Foundation for a schedule.

**Contact:** Laura W. Bailey, Executive Assistant to the Boards, Jamestown-Yorktown Foundation, P.O. Box 1607, Williamsburg, VA 23187, telephone (757) 253-4840, FAX

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# Calendar of Events

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(757) 253-5299, toll-free (888) 593-4682, (757) 253-7236/TTY ☎, email [laura.bailey@jyf.virginia.gov](mailto:laura.bailey@jyf.virginia.gov).

## STATE BOARD OF JUVENILE JUSTICE

**November 8, 2006 - 9 a.m.** -- Open Meeting  
Shenandoah Valley Juvenile Detention Home, 300 Technology Drive, Staunton, Virginia.

Meeting details will be provided closer to the meeting date.

**Contact:** Department of Juvenile Justice, 700 Centre, 700 E. Franklin St., 4th Floor, Richmond, VA 23219, telephone (804) 371-0743, FAX (804) 371-0773.

## DEPARTMENT OF LABOR AND INDUSTRY

### Virginia Apprenticeship Council

**December 14, 2006 - 10 a.m.** -- Open Meeting  
Confederate Hills Recreation Building, 302 Lee Avenue, Highland Springs, Virginia. ♿

A regular business meeting.

**Contact:** Beverley Donati, Program Director, Department of Labor and Industry, Powers-Taylor Bldg., 13 S. 13th St., Richmond, VA 23219, telephone (804) 786-2382, FAX (804) 786-8418, (804) 786-2376/TTY ☎, email [bgd@doli.state.va.us](mailto:bgd@doli.state.va.us).

## LIBRARY BOARD

**November 13, 2006 - 10:30 a.m.** -- Open Meeting  
The Library of Virginia, 800 East Broad Street, Richmond, Virginia. ♿

A meeting to discuss matters pertaining to the Library of Virginia and the Library Board.

**Contact:** Jean H. Taylor, Executive Secretary Senior, The Library of Virginia, 800 E. Broad St., Richmond, VA 23219-8000, telephone (804) 692-3525, FAX (804) 692-3594, (804) 692-3976/TTY ☎, email [jtaylor@lva.lib.va.us](mailto:jtaylor@lva.lib.va.us).

## BOARD OF LONG-TERM CARE ADMINISTRATORS

**October 31, 2006 - 9:30 a.m.** -- Open Meeting  
Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia. ♿

A meeting to discuss general business matters. There will be a 15-minute public comment period at the beginning of the meeting.

**Contact:** Sandra Reen, Executive Director, Board of Long-Term Care 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 ☎, email [sandra.reen@dhp.virginia.gov](mailto:sandra.reen@dhp.virginia.gov).

## MARINE RESOURCES COMMISSION

† **October 24, 2006 - 9:30 a.m.** -- Open Meeting  
† **November 28, 2006 - 9:30 a.m.** -- Open Meeting  
† **December 19, 2006 - 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 commission 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 ☎, email [jane.mccroskey@mrc.virginia.gov](mailto:jane.mccroskey@mrc.virginia.gov).

## BOARD OF MEDICAL ASSISTANCE SERVICES

**December 12, 2006 - 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 ☎, email [nancy.malczewski@dmas.virginia.gov](mailto:nancy.malczewski@dmas.virginia.gov).

## DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

† **October 10, 2006 - 9 a.m.** -- Open Meeting  
Department of Medical Assistance Services, 600 East Broad Street, 7th Floor Conference Room, Richmond, Virginia. ♿

A meeting of the Medicaid Revitalization Committee for adoption of a final report.

**Contact:** Bonnie Scott, Director's Office, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 786-8437, FAX (804) 786-1680, (800) 343-0634/TTY ☎, email [bonnie.scott@dmas.virginia.gov](mailto:bonnie.scott@dmas.virginia.gov).

**October 18, 2006 - 9:30 a.m.** -- Public Hearing  
Department of Medical Assistance Services, 600 East Broad Street, 7th Floor, Conference Room, Richmond, Virginia. ♿

A meeting to hear public comment on the integration of acute and long-term care. Written comments may be sent throughout the process to [altc@dmas.virginia.gov](mailto:altc@dmas.virginia.gov).

**Contact:** Adrienne T. Fegans, Program Operations Administrator, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 786-4112, FAX (804) 371-4981, (800) 343-0634/TTY ☎, email [altc@dmas.virginia.gov](mailto:altc@dmas.virginia.gov).

**October 18, 2006 - 1 p.m.** -- Open Meeting  
Department of Medical Assistance Services, 600 East Broad Street, 13th Floor, Board Room, Richmond, Virginia. ☎

A meeting of the Medicaid Transportation Advisory Committee to discuss Medicaid transportation issues with the committee and the community.

**Contact:** Bob Knox, Transportation Supervisor, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 371-8854, FAX (804) 786-6035, (800) 343-0634/TTY ☎, email robert.knox@dmas.virginia.gov.

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**October 20, 2006** - 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 adopt regulations entitled **12 VAC 30-30, Groups Covered and Agencies Responsible for Eligibility Determination; 12 VAC 30-40, Eligibility Conditions and Requirements; and 12 VAC 30-50, Amount, Duration, and Scope of Medical and Remedial Care Services.** The purpose of the proposed action is to implement the Medicare Prescription Part D Drug Program.

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

Public comments may be submitted until October 20, 2006.

**Contact:** Jack Quigley, Policy & Research Division, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 786-1300, FAX (804) 786-1680 or email jack.quigley@dmas.virginia.gov.

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**October 20, 2006** - 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 Medical Assistance Services intends to amend regulations entitled **12 VAC 30-70, Methods and Standards for Establishing Payment Rates; In-Patient Hospital Care.** The purpose of the proposed action is to permit DMAS to make DSH payments in conformity with changing federal legislation.

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

Public comments may be submitted until October 20, 2006.

**Contact:** William Lessard, Provider Reimbursement, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 225-4593,

FAX (804) 786-1680 or email william.lessard@dmas.virginia.gov.

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**October 20, 2006** - 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 30-150, Uninsured Medical Catastrophe Fund.** The purpose of the proposed action is to update the UDCF program to make it more user friendly.

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

Public comments may be submitted until October 20, 2006.

**Contact:** Patricia Taylor, Program Operations Division, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 371-6333, FAX (804) 786-1680 or email patricia.taylor@dmas.virginia.gov.

**October 23, 2006 - 9 a.m.** -- Open Meeting  
Department of Medical Assistance Services, 600 East Broad Street, 7th Floor, Richmond, Virginia. ☎

A meeting of the Pharmacy and Therapeutics Committee to review PDL Phase I and new drugs in PDL Phase II.

**Contact:** Katina Goodwyn, Pharmacy Contract Manager, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 371-0428, (800) 343-0634/TTY ☎, email katina.goodwyn@dmas.virginia.gov.

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**November 3, 2006** - 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 30-110, Eligibility and Appeals.** The purpose of the proposed action is to update the appeals regulations to reflect current practice.

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

**Contact:** Mahalia McGill-Arnold, Project Manager, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 786-1531, FAX (804) 786-1680 or email mahalia.arnold@dmas.virginia.gov.



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# Calendar of Events

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**November 3, 2006** - 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 30-120, Waivered Services**. The purpose of the proposed action is to revise and update the MEDALLION regulations to address several operational and waiver changes in the MEDALLION program.

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

**Contact:** Vivian Horn, Managed Care Division, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 371-6060, FAX (804) 786-1680 or email vivian.horn.@dmas.virginia.gov.

**November 9, 2006 - 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 Committee to discuss Medicaid pharmacy issues as related to this committee.

**Contact:** Rachel Cain, Pharmacist, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 371-0428, (800) 343-0634/TTY📞, email katina.goodwyn@dmas.virginia.gov.

## BOARD OF MEDICINE

**October 19, 2006 - 8 a.m.** -- Open Meeting  
Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 2, Richmond, Virginia.📍

A meeting of the full board 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📞, email william.harp@dhp.virginia.gov.

† **November 2, 2006 - 9:30 a.m.** -- Open Meeting  
Holiday Inn Express, 3315 Ordway Drive, Roanoke, Virginia.📍

† **November 7, 2006 - 9 a.m.** -- Open Meeting  
Holiday Inn Select, 2801 Plank Road, Fredericksburg, Virginia.📍

† **November 15, 2006 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia.📍

**November 29, 2006 - 9 a.m.** -- Open Meeting  
Williamsburg Marriott, 50 Kingsmill Road, Williamsburg, Virginia.📍

A special conference committee will convene informal conferences to inquire into allegations that certain practitioners of medicine or other healing arts may have violated certain laws and regulations governing the practice of medicine. Further, the committee may review cases with board staff for case disposition, including consideration of consent orders for settlement. 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) 662-7009, FAX (804) 662-9517, (804) 662-7197/TTY📞, email renee.dixon@dhp.virginia.gov.

**December 8, 2006 - 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📞, email william.harp@dhp.virginia.gov.


## Advisory Board on Acupuncture

**October 4, 2006 - 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 regulations of acupuncture. 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📞, email william.harp@dhp.virginia.gov.


## Advisory Board on Athletic Training

**October 5, 2006 - 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 regulations of athletic training. 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 , email [william.harp@dhp.virginia.gov](mailto:william.harp@dhp.virginia.gov).


## Advisory Board on Midwifery

**October 6, 2006 - 10 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 regulations of midwifery. 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 , email [william.harp@dhp.virginia.gov](mailto:william.harp@dhp.virginia.gov).


## Advisory Board on Occupational Therapy

**October 3, 2006 - 10 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 regulations of occupational therapy. 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 , email [william.harp@dhp.virginia.gov](mailto:william.harp@dhp.virginia.gov).

## Advisory Board on Physician Assistants


**October 5, 2006 - 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 regulations of physician assistants. 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 , email [william.harp@dhp.virginia.gov](mailto:william.harp@dhp.virginia.gov).


## Advisory Board on Radiologic Technology

**October 4, 2006 - 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 regulations of radiologic technologists and radiologic technologist-limited. 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 , email [william.harp@dhp.virginia.gov](mailto:william.harp@dhp.virginia.gov).

## Advisory Board on Respiratory Care

**October 3, 2006 - 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 regulations of respiratory care. 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 , email [william.harp@dhp.virginia.gov](mailto:william.harp@dhp.virginia.gov).

## DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES

**October 3, 2006 - 10 a.m.** -- Public Hearing  
Mount Rogers Community Services Board, 770 West Ridge Road, Wytheville, Virginia.

**October 23, 2006** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Mental Health, Mental Retardation and Substance Abuse Services intends to amend regulations entitled **12 VAC 35-105, Rules and Regulations for the Licensing of Providers of Mental Health, Mental Retardation and Substance Abuse Services**. The purpose of the proposed action is to add standards for new providers of services for the treatment of opioid addiction.

Statutory Authority: § 37.2-203 and Chapter 7 of the 2005 Acts of Assembly.

Public comments may be submitted until October 23, 2006.

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# Calendar of Events

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**Contact:** Leslie Anderson, Director, Office of Licensing, Department of Mental Health, Mental Retardation and Substance Abuse Services, P.O. Box 1797, Richmond, VA 23218-1797, telephone (804) 371-6885, FAX (804) 692-0066 or email [leslie.anderson@co.dmhmrzas.virginia.gov](mailto:leslie.anderson@co.dmhmrzas.virginia.gov).

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**October 11, 2006 - 4 p.m.** -- Public Hearing  
Valley Community Services Board, 85 Sanger's Lane, Staunton, Virginia. (Interpreter for the deaf provided upon request)

**October 17, 2006 - 4 p.m.** -- Public Hearing  
Mount Rogers Community Mental Health and Mental Retardation Services, 770 West Ridge Road, Wytheville, Virginia. (Interpreter for the deaf provided upon request)

**October 19, 2006 - 4 p.m.** -- Public Hearing  
Southern Virginia Mental Health Center, 328 Taylor Drive, Danville, Virginia. (Interpreter for the deaf provided upon request)

**† October 23, 2006 - 7 p.m.** -- Public Hearing  
Stambaugh Building, 3033 Wilson Boulevard, Conference Rooms 7 E and 7 F, Arlington, Virginia. (Interpreter for the deaf provided upon request)

**October 24, 2006 - 4 p.m.** -- Public Hearing  
Hospitality Center, Norfolk CSB, 6401 Tidewater Drive, Norfolk, Virginia. (Interpreter for the deaf provided upon request)

**November 8, 2006 - 4 p.m.** -- Public Hearing  
Henrico Area Mental Health and Mental Retardation Services, 10299 Woodman Road, Conference Room C, Richmond, Virginia. (Interpreter for the deaf provided upon request)

**November 9, 2006 - 6 p.m.** -- Public Hearing  
Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia. (Interpreter for the deaf provided upon request)

**November 17, 2006** - Public comments may be submitted until this date.

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

Statutory Authority: §§ 32.2-203 and 37.2-400 of the Code of Virginia.

**Contact:** Margaret Walsh, Director of the Office of Human Rights, State Mental Health, Mental Retardation and Substance Abuse Services Board, Jefferson Bldg., 1220 Bank St., P.O. Box 1797, Richmond, VA 23218-1797, telephone (804) 786-3988, FAX (804) 371-2308, email [margaret.walsh@co.dmhmrzas.virginia.gov](mailto:margaret.walsh@co.dmhmrzas.virginia.gov).

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**October 23, 2006** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Mental Health, Mental Retardation and Substance Abuse Services intends to amend regulations entitled **12 VAC 35-45, Regulations for Providers for Mental Health, Mental Retardation and Substance Abuse Residential Services for Children**. The purpose of the proposed action is to add provisions for issuing an order of summary suspension of the license to operate a group home or residential facility for children. In addition to any other comments, the department on behalf of the board is seeking comments on the costs and benefits of the proposal and the potential impacts of this regulatory proposal. Also, the board is seeking information on impacts on small businesses as defined in § 2.2-4007.1 of the Code of Virginia. Information may include (i) projected reporting, recordkeeping and other administrative costs; (ii) probable effect of the regulation on affected small businesses; and (iii) description of less intrusive or costly alternative methods of achieving the purpose of the regulation.

Anyone wishing to submit written comments may do so by mail, email or fax to the contact person named below. Written comments must include the name and address of the commenter. In order to be considered comments must be received by the last date of the public comment period.

Statutory Authority: §§ 37.2-203, 37.2-408 and 37.2-418 of the Code of Virginia.

Public comments may be submitted until October 23, 2006.

**Contact:** Leslie Anderson, Director, Office of Licensing, Department of Mental Health, Mental Retardation and Substance Abuse Services, P.O. Box 1797, Richmond, VA 23218-1797, telephone (804) 371-6885, FAX (804) 692-0066 or email [leslie.anderson@co.dmhmrzas.virginia.gov](mailto:leslie.anderson@co.dmhmrzas.virginia.gov).

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**October 23, 2006** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Mental Health, Mental Retardation and Substance Abuse Services intends to amend regulations entitled **12 VAC 35-45, Regulations**

**for Providers for Mental Health, Mental Retardation Substance Abuse, and Brain Injury Residential Services for Children.** The purpose of the proposed action is to add provisions for licensing providers of brain injury services.

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Statutory Authority: § 37.2-203 and Chapter 725 of the 2005 Acts of Assembly.

Public comments may be submitted until October 23, 2006.

**Contact:** Leslie Anderson, Director, Office of Licensing, Department of Mental Health, Mental Retardation and Substance Abuse Services, P.O. Box 1797, Richmond, VA 23218-1797, telephone (804) 371-6885, FAX (804) 692-0066 or email [leslie.anderson@co.dmhmrzas.virginia.gov](mailto:leslie.anderson@co.dmhmrzas.virginia.gov).

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**October 23, 2006** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Mental Health, Mental Retardation and Substance Abuse Services intends to amend regulations entitled **12 VAC 35-105, Rules and Regulations for the Licensing of Providers of Mental Health, Mental Retardation and Substance Abuse Services.** The purpose of the proposed action is to add provisions for licensing providers of brain injury services. In addition to any other comments, the department on behalf of the board is seeking comments on the costs and benefits of the proposal and the potential impacts of this regulatory proposal. Also, the board is seeking information on impacts on small businesses as defined in § 2.2-4007.1 of the Code of Virginia. Information may include (i) projected reporting, recordkeeping and other administrative costs; (ii) probable effect of the regulation on affected small businesses; and (iii) description of less intrusive or costly alternative methods of achieving the purpose of the regulation.

Anyone wishing to submit written comments may do so by mail, email or fax to the contact person named below. Written comments must include the name and address of the commenter. In order to be considered comments must be received by the last date of the public comment period.

Statutory Authority: § 37.2-203 and Chapter 725 of the 2005 Acts of Assembly.

Public comments may be submitted until October 23, 2006.

**Contact:** Leslie Anderson, Director, Office of Licensing, Department of Mental Health, Mental Retardation and Substance Abuse Services, P.O. Box 1797, Richmond, VA 23218-1797, telephone (804) 371-6885, FAX (804) 692-0066 or email [leslie.anderson@co.dmhmrzas.virginia.gov](mailto:leslie.anderson@co.dmhmrzas.virginia.gov).

**October 23, 2006** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Mental Health, Mental Retardation and Substance Abuse Services intends to adopt regulations entitled **12 VAC 35-210, Regulations to Govern Temporary Leave from State Mental Health and State Mental Retardation Facilities.** The purpose of the proposed action is to promulgate a new regulation to govern practices related to trial or home visits from state mental health and state mental retardation facilities under § 37.2-837 B of the Code of Virginia.


Statutory Authority: §§ 37.2-203 and 37.2-837 of the Code of Virginia.

Public comments may be submitted until October 23, 2006.

**Contact:** Marion Greenfield, Office of Quality Management, Department of Mental Health, Mental Retardation and Substance Abuse Services, P.O. Box 1797, Richmond, VA 23218-1797, telephone (804) 786-4516, FAX (804) 786-8623 or email [marion.greenfield@co.dmhmrzas.virginia.gov](mailto:marion.greenfield@co.dmhmrzas.virginia.gov).

### Virginia Mental Health Planning Council

**December 6, 2006 - 10 a.m.** -- Open Meeting

Henrico CSB, 10299 Woodman Road, Conference Room C, Glen Allen, Virginia.  (Interpreter for the deaf provided upon request)

A meeting to review MHBG plan, review MHBG Implementation Report, develop plan for 2006 issues, and monitor and evaluate mental health programs.

**Contact:** Will Ferriss, LCSW, Director, Planning and Evaluation, Office of Mental Health, Department of Mental Health, Mental Retardation and Substance Abuse Services, 1220 Bank St., Richmond, VA 23218, telephone (804) 371-0363, FAX (804) 371-0091, email [will.ferriss@co.dmhmrzas.virginia.gov](mailto:will.ferriss@co.dmhmrzas.virginia.gov).

### DEPARTMENT OF MINES, MINERALS AND ENERGY

**November 3, 2006** - 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 Mines, Minerals and Energy intends to amend regulations entitled **4 VAC 25-130, Coal Surface Mining Reclamation Regulations.** The purpose of the proposed action is to revise references to sections in the Virginia Administrative Process Act to reflect the renumbering that became effective October 1, 2001; provide direction as to where requests for formal administrative review and notices of judicial appeal shall be filed; maintain consistency with corresponding federal

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## Calendar of Events

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amendments regarding survey requirements and the rebuttable presumption of subsidence determinations; maintain consistency with federal regulations regarding thick overburden; and increase the civil penalties for violations of the Virginia Coal Surface Mining Control and Reclamation Act that result in personal injury or fatality.

Statutory Authority: §§ 45.1-161.3 and 45.1-230 of the Code of Virginia.

Public comments may be submitted until 5 p.m. on November 3, 2006.

**Contact:** Gavin Bledsoe, Legal Services Officer, Department of Mines, Minerals and Energy, P.O. Drawer 900, Big Stone Gap, VA 24219-0900, telephone (276) 523-8157, FAX (276) 523-8163, or email [gavin.bledsoe@dmme.virginia.gov](mailto:gavin.bledsoe@dmme.virginia.gov).

### DEPARTMENT OF MOTOR VEHICLES


**October 6, 2006** - 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 Motor Vehicles intends to repeal regulations entitled **24 VAC 20-120, Commercial Driver Training School Regulations**, and adopt regulations entitled **24 VAC 20-121, Virginia Driver Training School Regulations**. The purpose of the proposed action is to ensure that graduates of commercial vehicle and passenger vehicle driver training schools licensed by DMV are adequately prepared to safely and independently operate motor vehicles on the public roadways. The overall goals are to (i) strengthen DMV training school standards and develop additional standards to ensure that the instruction provided is uniform and meets all established requirements; (ii) strengthen DMV's oversight process to ensure that reviews of training documentation are consistent, evaluation of school curriculums are expanded, and school audits are more comprehensive and less burdensome on driver training course providers; and (iii) implement additional changes intended to ensure that consistently high quality instruction is provided across the driver training school system and that the learning environment for younger students is safe, secure and peer-oriented.


Statutory Authority: §§ 46.2-203 and 46.2-1703 of the Code of Virginia.

**Contact:** Marc Copeland, Senior Policy Analyst, Department of Motor Vehicles, P.O. Box 27412, Room 724, Richmond, VA 23269-0001, telephone (804) 367-1875, FAX (804) 367-6631, toll-free 1-866-368-5463 or email [marc.copeland@dmv.virginia.gov](mailto:marc.copeland@dmv.virginia.gov).


### Motorcycle Advisory Council

† **October 10, 2006 - 10 a.m.** -- Open Meeting  
Department of Motor Vehicles, 2300 West Broad Street, Room 702, Richmond, Virginia. 


A regular meeting.

**Contact:** Audrey Odum, Management Analyst, Department of Motor Vehicles, P.O. Box 27412, Richmond, VA 23269-0001, telephone (804) 367-8140, FAX (804) 367-6339, (800) 272-9268/TTY , email [audrey.odum@dmv.virginia.gov](mailto:audrey.odum@dmv.virginia.gov).

### Board of Transportation Safety

† **October 18, 2006 - 10 a.m.** -- Open Meeting  
Department of Motor Vehicles, 2300 West Broad Street, Room 133, Richmond, Virginia. 

A quarterly meeting.

**Contact:** Audrey Odum, Management Analyst, Department of Motor Vehicles, P.O. Box 27412 Richmond, VA 23269-0001, telephone (804) 367-8140, FAX (804) 367-6339, (800) 272-9268/TTY , email [audrey.odum@dmv.virginia.gov](mailto:audrey.odum@dmv.virginia.gov).


### VIRGINIA MUSEUM OF FINE ARTS

**October 3, 2006 - 8 a.m.** -- Open Meeting


**November 7, 2006 - 8 a.m.** -- Open Meeting

**December 5, 2006 - 8 a.m.** -- Open Meeting


† **January 2, 2007 - 8 a.m.** -- Open Meeting

Virginia Museum of Fine Arts, The Pauley Center, 200 North Boulevard, Dining Room, Richmond, Virginia. 


A meeting for staff to update the Executive Committee. Public comment will not be received.

**Contact:** Suzanne Broyles, Secretary of the Museum, Virginia Museum of Fine Arts, 200 N. Boulevard, Richmond, VA 23220, telephone (804) 340-1503, FAX (804) 340-1502, (804) 340-1401/TTY , email [suzanne.broyles@vmfa.museum](mailto:suzanne.broyles@vmfa.museum).

**October 12, 2006 - 2 p.m.** -- Open Meeting


Virginia Museum of Fine Arts, 201 North Boulevard, Conference Room, Richmond, Virginia. 

A meeting of the Partnership for Virginia Task Force for staff to update the committee 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, telephone (804) 340-1503, FAX (804) 340-1502, toll-free (800) 943-8632, (804) 340-1401/TTY , email [suzanne.broyles@vmfa.museum](mailto:suzanne.broyles@vmfa.museum).

**FOUNDATION FOR VIRGINIA'S NATURAL RESOURCES**


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**October 11, 2006 - 10 a.m.** -- Open Meeting  
 Department of Forestry, 900 Natural Resources Drive,  
 Charlottesville, Virginia.  (Interpreter for the deaf provided upon request)


A business meeting of the Board of Trustees.


**Contact:** Brenda Taylor, Administrative Staff Specialist, Foundation for Virginia's Natural Resources, 900 Natural Resources Dr., Charlottesville, VA 22903, telephone (434) 977-6555, FAX (434) 977-7749, email [brenda.taylor@dof.virginia.gov](mailto:brenda.taylor@dof.virginia.gov).

**BOARD OF NURSING**


† **October 2, 2006 - 2 p.m.** -- Open Meeting  
 Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 3, Richmond, Virginia. 

A meeting of the Medication Aide Advisory Group for review of public comment received.

**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) 662-9949, FAX (804) 662-9512, (804) 662-7197/TTY , email [jay.douglas@dhp.virginia.gov](mailto:jay.douglas@dhp.virginia.gov).

- October 3, 2006 - 9 a.m.** -- Open Meeting
  - October 6, 2006 - 9 a.m.** -- Open Meeting
  - October 11, 2006 - 9 a.m.** -- Open Meeting
  - October 12, 2006 - 9 a.m.** -- Open Meeting
  - October 16, 2006 - 9 a.m.** -- Open Meeting
  - October 24, 2006 - 9 a.m.** -- Open Meeting
  - November 30, 2006 - 9 a.m.** -- Open Meeting
  - December 1, 2006 - 9 a.m.** -- Open Meeting
  - December 4, 2006 - 9 a.m.** -- Open Meeting
  - December 5, 2006 - 9 a.m.** -- Open Meeting
  - December 7, 2006 - 9 a.m.** -- Open Meeting
  - December 12, 2006 - 9 a.m.** -- Open Meeting
  - December 13, 2006 - 9 a.m.** -- Open Meeting
- Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 3, Richmond, Virginia. 

A Special Conference Committee comprised of two or three 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 , email [nursebd@dhp.virginia.gov](mailto:nursebd@dhp.virginia.gov).


**November 3, 2006** - 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 Boards of Nursing and Medicine intend to amend regulations entitled **18 VAC 90-30, Regulations Governing the Licensure of Nurse Practitioners**. The purpose of the proposed action is to clarify the duration of a provisional license granted to an applicant for licensure as a nurse practitioner pending the results of the required national certifying examination for consistency with the current practice of electronic testing. Copies of the board's regulation may be found on the board's website at <http://dhp.virginia.gov/nursing/>.


Statutory Authority: §§ 54.1-2400 and 54.1-2957 of the Code of Virginia.


Public comments may be submitted until 5 p.m. on November 3, 2006, to Jay P. Douglas, R.N., Executive Director, Board of Nursing, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712.

**Contact:** Elaine J. Yeatts, Regulatory Coordinator, Department of Health Professions, 6603 W. Broad St., Richmond, VA 23230, telephone (804) 662-9918, FAX (804) 662-9114 or email [elaine.yeatts@dhp.virginia.gov](mailto:elaine.yeatts@dhp.virginia.gov).


- November 13, 2006 - 9 a.m.** -- Open Meeting
  - November 15, 2006 - 9 a.m.** -- Open Meeting
  - November 16, 2006 - 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 , email [nursebd@dhp.virginia.gov](mailto:nursebd@dhp.virginia.gov).

**November 14, 2006 - 9 a.m.** -- Open Meeting  
 Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 2, Richmond, Virginia. 

A meeting to conduct general business including receipt of committee reports and 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 , email [jay.douglas@dhp.virginia.gov](mailto:jay.douglas@dhp.virginia.gov).

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# Calendar of Events

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## JOINT BOARDS OF NURSING AND MEDICINE

**October 18, 2006 - 9 a.m.** -- Open Meeting

**December 6, 2006 - 9 a.m.** -- Open Meeting

Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia. 


A regular meeting.

**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 , email jay.douglas@dhp.virginia.gov.

## OLD DOMINION UNIVERSITY

**October 16, 2006 - Noon** -- Open Meeting


**November 20, 2006 - Noon** -- Open Meeting

Old Dominion University, Webb University Center, Old 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 by the board.

**Contact:** Donna Meeks, Executive Secretary to the Board of Visitors, Old Dominion University, 204 Koch Hall, Old Dominion University, Norfolk, VA 23529, telephone (757) 683-3072, FAX (757) 683-5679, email dmeeks@odu.edu.

**December 8, 2006 - 1:30 p.m.** -- Open Meeting


Old Dominion University, Webb University Center, Norfolk, Virginia. 

A regular meeting of the executive committee 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 by the board.

**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, email dmeeks@odu.edu.


## BOARD FOR OPTICIANS

**December 8, 2006 - 9:30 a.m.** -- Open Meeting

Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, Richmond, Virginia. 

A general business meeting including consideration of regulatory issues as may be presented on the agenda. The meeting is open to the public; however, a portion of the board's business may be discussed in closed session. Public comment will be heard at the beginning of the meeting. Person 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:** 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 , email opticians@dpor.virginia.gov.

## VIRGINIA OUTDOORS FOUNDATION

**November 15, 2006 - 1 p.m.** -- Open Meeting

**November 16, 2006 - 9 a.m.** -- Open Meeting


Location to be announced; Charlottesville, Virginia area.

A meeting for policy and easement consideration. Public comment will be received.

**Contact:** Trisha Cleary, Administrative Assistant, Department of Conservation and Recreation, 101 N. 14th St., 17th Floor, Richmond, VA 23219, telephone (804) 225-2147, FAX (804) 371-4810, email tcleary@vofonline.org.

## PESTICIDE CONTROL BOARD

† **October 19, 2006 - 9 a.m.** -- Open Meeting

Alson H. Smith Research Center, 595 Laurel Grove Road, Winchester, Virginia. 

On October 18, 2006, at 2 p.m., the Virginia Pesticide Control Board will tour Marker-Miller Orchard, 3035 Cedar Creek Grade, Winchester, Virginia, to observe pesticide management practices. The board will conduct its normal quarterly meeting on October 19, 2006, at 9 a.m. The board will discuss general business matters requiring board action. However, portions of the meeting may be held in closed session, pursuant to § 2.2-3711 of the Code of Virginia. The board will entertain public comment at the beginning of the meeting on all other business for a period not to exceed 30 minutes. Any person who needs any accommodations in order to participate in the meeting should contact the person identified in this notice at least five days before the meeting date.

**Contact:** Dr. W. Wayne Surles, Program Manager, Office of Pesticide Services, Department of Agriculture and Consumer Services, 102 Governor St., P.O. Box 1163, Richmond, VA 23218, telephone (804) 371-6559, FAX (804) 786-9149, toll-free (800) 552-9963, email wayne.surles@vdacs.virginia.gov.

## BOARD OF PHARMACY


**October 7, 2006** - Public comments may be submitted until 5 p.m. on 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 action is to add the Internet-based TOEFL


examination in lieu of the current TOEFL and TSE as an alternative for graduates in foreign schools of pharmacies.


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

**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 or email [scotti.russell@dhp.virginia.gov](mailto:scotti.russell@dhp.virginia.gov).


† **October 11, 2006 - 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 comment will not be received.

**Contact:** Elizabeth Scott Russell, RPh, 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 , email [scotti.russell@dhp.virginia.gov](mailto:scotti.russell@dhp.virginia.gov).

**December 13, 2006 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6603 West Broad Street, 5th Floor, Conference Room 2, Richmond, Virginia. 

A 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, RPh, 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 , email [scotti.russell@dhp.virginia.gov](mailto:scotti.russell@dhp.virginia.gov).


## POLYGRAPH EXAMINERS ADVISORY BOARD

**October 6, 2006** - Public comment 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 Professional and Occupational Regulation intends to amend regulations entitled **18 VAC 120-30, Regulations Governing Polygraph Examiners**. The purpose of the proposed action is to amend current regulations to reflect statutory changes, industry changes, and changes suggested by licensees and the public.

Statutory Authority: § 54.1-1802 of the Code of Virginia.

**Contact:** Kevin Hoefl, Regulatory Boards Administrator, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-2785, FAX (804) 367-0674, (804) 367-9753/TTY , email [kevin.hoefl@dpor.virginia.gov](mailto:kevin.hoefl@dpor.virginia.gov).

**October 26, 2006 - 11 a.m.** -- Open Meeting  
**December 7, 2006 - 11 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, 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. Public comment will be heard at the beginning of the meeting. Person 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 Hoefl, Regulatory Boards Administrator, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-2785, FAX (804) 367-0674, (804) 367-9753/TTY , email [kevin.hoefl@dpor.virginia.gov](mailto:kevin.hoefl@dpor.virginia.gov).

## DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION


**November 3, 2006** - 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 Professional and Occupational Regulation intends to amend regulations entitled **18 VAC 120-40, Virginia Professional Boxing and Wrestling Events Regulations**. The purpose of the proposed action is to restructure the regulations to better distinguish between boxing and wrestling; incorporate general industry standards; and make other changes resulting from the department's review.

Statutory Authority: § 54.1-831 of the Code of Virginia.

**Contact:** Karen W. O'Neal, Deputy Director for Licensing and Regulation, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8537, FAX (804) 367-2475 or email [karen.oneal@dpor.virginia.gov](mailto:karen.oneal@dpor.virginia.gov).

## BOARD FOR PROFESSIONAL AND OCCUPATIONAL REGULATION

**November 13, 2006 - 10 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, 5th Floor Conference Room, Richmond, Virginia. 

A quarterly meeting.

**Contact:** Mark Courtney, Executive Director, Board for Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-2475, email [mark.courtney@dpor.virginia.gov](mailto:mark.courtney@dpor.virginia.gov).



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# Calendar of Events

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## BOARD OF PSYCHOLOGY

**October 10, 2006 - 9:30 a.m.** -- Open Meeting  
Department of Health Professions, 6603 West Broad Street,  
5th Floor, Richmond, Virginia. 


A 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 , email [evelyn.brown@dhp.virginia.gov](mailto:evelyn.brown@dhp.virginia.gov).

## VIRGINIA PUBLIC GUARDIAN AND CONSERVATOR ADVISORY BOARD

**December 7, 2006 - 10 a.m.** -- Open Meeting  
Department for the Aging, 1610 Forest Avenue, Suite 100,  
Richmond, Virginia. 

A quarterly meeting.

**Contact:** Janet Dingle Brown, Esq., Public Guardianship Coordinator and Legal Services Developer, 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 , email [janet.brown@vda.virginia.gov](mailto:janet.brown@vda.virginia.gov).

## VIRGINIA RACING COMMISSION

**October 20, 2006** - 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 Virginia Racing Commission intends to amend regulations entitled **11 VAC 10-70, Regulations Pertaining to Horse Racing With Pari-Mutuel Wagering-Stewards**. The purpose of the proposed action is to clarify the authority of the stewards appointed by the Virginia Racing Commission to enforce and interpret the commission's regulations. The definition of "participant" has been added, which provides that certain individuals associated with a horse that is entered to run in Virginia shall be considered as participants and come under the jurisdiction of the commission. Additionally, the amendments authorize the commission to take disciplinary actions through stewards or at a meeting at which a quorum is present. These amendments are made to conform to the regulation changes that were made to the Code of Virginia on July 1, 2005, as provided for in SB 1270.

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


Public comments may be submitted until 5 p.m. on October 20, 2006.


**Contact:** David S. Lermond, Jr., Regulatory Coordinator, 10700 Horsemen's Lane, New Kent, VA 23024, telephone (804) 966-7404, FAX (804) 966-7418 or email [david.lermond@vrc.virginia.gov](mailto:david.lermond@vrc.virginia.gov).

## REAL ESTATE APPRAISER BOARD


**† October 31, 2006 - 1 p.m.** -- Open Meeting  
**† November 1, 2006 - 10:30 a.m.** -- Open Meeting  
**† November 7, 2006 - 1 p.m.** -- Open Meeting  
Department of Professional and Occupational Regulation,  
3600 West Broad Street, 4th Floor, 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, FAX (804) 367-6946, (804) 367-9753/TTY , email [reboard@dpor.virginia.gov](mailto:reboard@dpor.virginia.gov).

**November 7, 2006 - 10 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation,  
3600 West Broad Street, 4 West Conference Room,  
Richmond, Virginia. 


A meeting to discuss board business.


**Contact:** Christine Martine, Executive Director, Real Estate Appraiser Board, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8552, FAX (804) 367-6946, (804) 367-9753/TTY , email [reappraisers@dpor.virginia.gov](mailto:reappraisers@dpor.virginia.gov).

## REAL ESTATE BOARD


**October 11, 2006 - 10:30 a.m.** -- Open Meeting  
**October 12, 2006 - 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 Board, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8552, FAX (804) 367-6946, (804) 367-9753/TTY , email [reboard@dpor.virginia.gov](mailto:reboard@dpor.virginia.gov).

**December 4, 2006 - 3 p.m.** -- Open Meeting  
Department of Professional and Occupational Regulation,  
3600 West Broad Street, 5th Floor, Richmond, Virginia. 

A meeting of the Education Committee.

**Contact:** Christine Martine, Executive Director, Real Estate Board, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8552, FAX (804) 367-6946, (804) 367-9753/TTY , email [reboard@dpor.virginia.gov](mailto:reboard@dpor.virginia.gov).

**December 5, 2006 - 8:30 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation,  
3600 West Broad Street, Richmond, Virginia.☎

A meeting to discuss fair housing cases.

**Contact:** Christine Martine, Executive Director, Real Estate Board, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8552, FAX (804) 367-6946, (804) 367-9753/TTY ☎, email reboard@dpor.virginia.gov.

**December 5, 2006 - 9 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation,  
3600 West Broad Street, 4th Floor, Richmond, Virginia.☎

A meeting to discuss board business.

**Contact:** Christine Martine, Executive Director, Real Estate Appraiser Board, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8552, FAX (804) 367-6946, (804) 367-9753/TTY ☎, email reappraisers@dpor.virginia.gov.

## DEPARTMENT OF REHABILITATIVE SERVICES

**October 10, 2006 - 9:30 a.m.** -- Open Meeting  
Department of Rehabilitative Service, 8004 Franklin Farms Drive, Richmond, Virginia.☎

Meetings of the ESOAC/LTESS Steering Committee to discuss rehabilitation issues that impact employment service organizations in providing employment services and long-term follow-along funding to consumers.

**Contact:** Tim Olive, Program Administrative Specialist, Department of Rehabilitative Services, 8004 Franklin Farms Dr., P.O. Box K-300, Richmond, VA 23229, telephone (804) 662-7127, FAX (804) 662-9140, toll-free (800) 552-5019, (804) 662-9040/TTY ☎, email tim.olive@dps.virginia.gov.

**October 27, 2006 - 1 p.m.** -- Open Meeting  
Department of Rehabilitative Service, 8004 Franklin Farms Drive, Richmond, Virginia.☎

A quarterly meeting of the Virginia Brain Injury Council. Public comments will be received at approximately 1:15 p.m.

**Contact:** Kristie Chamberlain, BI/SCI Services Unit, Department of Rehabilitative Services, 8004 Franklin Farms Dr., P.O. Box K-300, Richmond, VA 23229, telephone (804) 662-7154, FAX (804) 662-7663, toll-free (800) 552-5019, (800) 464-9950/TTY ☎, email kristie.chamberlain@dps.virginia.gov.

## VIRGINIA RESEARCH AND TECHNOLOGY ADVISORY COMMISSION

**November 14, 2006 - 11 a.m.** -- Open Meeting  
Williamsburg, Virginia.

A quarterly meeting.

**Contact:** Nancy Vorona, VP Research Investment, Virginia Research and Technology Advisory Commission, 2214 Rock Hill Rd., Suite 600, Herndon, VA 20170, telephone (703) 689-3043, FAX (703) 464-1720, email nvorona@cit.org.

## SAFETY AND HEALTH CODES BOARD

**November 18, 2006** - 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 Safety and Health Codes Board intends to adopt regulations entitled **16 VAC 25-75, General Industry Standard for Telecommunications, General, Approach Distances**, and amend regulations entitled **16 VAC 25-90-1910.268, Federal Identical General Industry Standards**. The purpose of the proposed action is to provide telecommunications employees with protection from any live electrical part in the area where such employees are working.

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

**Contact:** John Crisanti, Policy Analyst Senior, Powers-Taylor Bldg., 13 S. 13th St., Richmond, VA 23219, telephone (804) 786-4300, FAX (804) 786-8418 or email john.crisanti@doli.virginia.gov.

## VIRGINIA SMALL BUSINESS FINANCING AUTHORITY

† **October 18, 2006 - Noon** -- Open Meeting  
Department of Business Assistance, 707 East Main Street, 3rd Floor Board Room, Richmond, Virginia.☎

A meeting to review applications for loans submitted to the authority for approval and to conduct general business of the board. The meeting time is subject to change depending upon the board's agenda.

**Contact:** Scott E. Parsons, Executive Director, Department of Business Assistance, P.O. Box 446, Richmond, VA 23218-0446, telephone (804) 371-8256, FAX (804) 225-3384, toll-free (866) 248-8814, email scott.parsons@dba.virginia.gov.

## STATE BOARD OF SOCIAL SERVICES

**October 6, 2006** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Social Services intends to repeal regulations entitled **22 VAC 40-71, Standards and Regulations for Licensed Assisted Living Facilities**. The purpose of the proposed action is to promulgate a comprehensive revision of the assisted living facility standards and replace an emergency regulation. The proposed action includes additional requirements for care and services to residents; staff qualifications, training and

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## Calendar of Events

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responsibilities; management of the facility, physical plant features; coordination with mental health systems; disclosure of information; and emergency preparedness.

Statutory Authority: §§ 63.2-217 and 63.2-1732 of the Code of Virginia.

**Contact:** Judith McGreal, Program Development Consultant, Department of Social Services, 7 N. 8th St. Richmond, VA 23219, telephone (804) 726-7157, FAX (804) 726-7132, (800) 828-1120/TTY ☎, email [judith.mcgreal@dss.virginia.gov](mailto:judith.mcgreal@dss.virginia.gov).

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**October 6, 2006** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Social Services intends to adopt regulations entitled **22 VAC 40-72, Standards for Licensed Assisted Living Facilities**. The purpose of the proposed action is to promulgate a comprehensive revision of the assisted living facility standards and replace an emergency regulation. The proposed action includes additional requirements for care and services to residents; staff qualifications, training and responsibilities; management of the facility, physical plant features; coordination with mental health systems; disclosure of information; and emergency preparedness.

Statutory Authority: §§ 63.2-217 and 63.2-1732 of the Code of Virginia.

**Contact:** Judith McGreal, Program Development Consultant, Department of Social Services, 7 N. 8th St. Richmond, VA 23219, telephone (804) 726-7157, FAX (804) 726-7132, (800) 828-1120/TTY ☎, email [judith.mcgreal@dss.virginia.gov](mailto:judith.mcgreal@dss.virginia.gov).

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**October 6, 2006** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Social Services intends to amend regulations entitled **22 VAC 40-80, General Procedures and Information for Licensure**. The purpose of the proposed action is to conform the regulation with legislative changes to the provisions for terms of license, administrative sanctions, and hearings procedures.

Public comment can also be submitted at the Department of Social Services website at <http://www.dss.state.va.us>. Persons wishing to speak at public hearings may begin registering at 5:30 p.m.

Statutory Authority: §§ 63.2-217 and 63.2-1732, 63.2-1733 and 63.2-1734 of the Code of Virginia.

**Contact:** Kathryn Thomas, Program Development Consultant, Department of Social Services, 7 N. 8th St., Richmond, VA 23219, telephone (804) 726-7158, FAX (804) 726-7132, (800) 828-1120/TTY ☎, email [kathryn.thomas@dss.virginia.gov](mailto:kathryn.thomas@dss.virginia.gov).

**October 18, 2006 - 9 a.m.** -- Open Meeting  
Radford University, Radford, Virginia. ♿

A regular meeting. A Poverty Committee meeting is scheduled for 4 p.m.

**Contact:** Pat Rengnerth, Board Liaison, Department 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 ☎, email [patricia.rengnerth@dss.virginia.gov](mailto:patricia.rengnerth@dss.virginia.gov).

**October 19, 2006 - 9 a.m.** -- Open Meeting  
Radford University, Radford, Virginia. ♿

A regular meeting.

**Contact:** Pat Rengnerth, Board Liaison, Department 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 ☎, email [patricia.rengnerth@dss.virginia.gov](mailto:patricia.rengnerth@dss.virginia.gov).

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**November 3, 2006** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Social Services intends to repeal regulations entitled **22 VAC 40-20, Food Stamp Program - Income Conversion Method**. The purpose of the proposed action is to repeal the regulation that requires the use of income conversion to calculate weekly or biweekly income amounts to monthly amounts for the Food Stamp Program. The provision will be included in a new comprehensive Food Stamp Regulation, 22 VAC 40-601.

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

**Contact:** Celestine Jackson, Program Consultant, Division of Benefit Program, Department of Social Services, 7 N. 8th St., Richmond, VA 23219, telephone (804) 726-7376, FAX (804) 726-7356 or email [celestine.jackson@dss.virginia.gov](mailto:celestine.jackson@dss.virginia.gov).

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**November 3, 2006** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Social Services intends to amend regulations entitled **22 VAC 40-25, Auxiliary Grants Program**. The purpose of the proposed

action is to update the regulation and establish guidelines regarding requirements to participate in the Auxiliary Grants Program, minimum services to be provided, reimbursable rates and reporting requirements.

Statutory Authority: §§ 63.2-217 and 63.2-800 of the Code of Virginia.

**Contact:** Sandra Coffey, Regional Adult Services Consultant, Department of Social Services, 1604 Santa Rosa Rd., Suite 130, Richmond, VA 23229, telephone (804) 662-9784, FAX (804) 662-7023 or email sandra.coffey@dss.virginia.gov.

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**November 3, 2006** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Social Services intends to amend regulations entitled **22 VAC 40-41, Neighborhood Assistance Tax Credit Program**. The purpose of the proposed action is to ensure the availability of tax credits and their equitable distribution among approved organizations.

Statutory Authority: §§ 63.2-217 and 63.2-2002 of the Code of Virginia.

**Contact:** J. Mark Grigsby, Director, Office of Community Services, Department of Social Services, 7 N. 8th St., Richmond, VA 23219, telephone (804) 726-7922, FAX (804) 726-7946, or email james.grigsby@dss.virginia.gov.

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**November 3, 2006** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Social Services intends to repeal regulations entitled **22 VAC 40-540, Allowance of Telephone Costs in the Food Stamp Program**. The purpose of the proposed action is to repeal the regulation that requires the use of a standard amount for telephone expenses in determining shelter costs for the Food Stamp Program. The provision will be included in a new comprehensive Food Stamp regulation, 22 VAC 40-601.

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

**Contact:** Celestine Jackson, Program Consultant, Division of Benefit Program, Department of Social Services, 7 N. 8th St., Richmond, VA 23219, telephone (804) 726-7376, FAX (804) 726-7356 or email celestine.jackson@dss.virginia.gov.

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**November 3, 2006** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Social Services intends to repeal regulations entitled **22 VAC 40-600, Food Stamp Program - Administrative Disqualification Hearings**. The purpose of the proposed action is to repeal the regulation that establishes an administrative process to determine if an individual has committed an intentional act against the Food Stamp Program. The provisions of this regulation will be included as part of a new comprehensive Food Stamp Regulation, 22 VAC 40-601.

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

**Contact:** Celestine Jackson, Program Consultant, Division of Benefit Program, Department of Social Services, 7 N. 8th St., Richmond, VA 23219, telephone (804) 726-7376, FAX (804) 726-7356 or email celestine.jackson@dss.virginia.gov.

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**November 3, 2006** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Social Services intends to adopt regulations entitled **22 VAC 40-601, Food Stamp Program**. The purpose of the proposed action is to repeal three regulations that affect different aspects of the Food Stamp Program and incorporate them in a single regulation to streamline the regulatory structure for the program. The regulation will serve as a comprehensive regulation for the Food Stamp Program. The regulation addresses eligibility determination through the conversion of weekly or biweekly income to monthly amounts and using a standard amount for the basic cost for telephone services. The regulation also establishes an administrative hearing process to determine intentional program violations.

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

**Contact:** Celestine Jackson, Program Consultant, Division of Benefit Program, Department of Social Services, 7 N. 8th St., Richmond, VA 23219, telephone (804) 726-7376, FAX (804) 726-7356 or email celestine.jackson@dss.virginia.gov.

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**November 3, 2006** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Social Services intends to amend regulations entitled **22 VAC 40-880, Child Support Enforcement Program**. The purpose of

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## Calendar of Events


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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.


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


**Contact:** Cynthia Holdren, Program Manager, Division of Child Support Enforcement, Department of Social Services, 7 N. 8th St., 1st Floor, Richmond, VA 23219, telephone (804) 726-7474, FAX (804) 726-7482 or email [cynthia.holdren@dss.virginia.gov](mailto:cynthia.holdren@dss.virginia.gov).

### BOARD OF SOCIAL WORK


† **October 12, 2006 - 10 a.m.** -- Public Hearing  
Department of Health Professions, 6603 West Broad Street, 5th Floor, Conference Room 1, Richmond, Virginia. 

A public hearing to accept comments and information from relevant stakeholders in regard to a study of social work practice pursuant to House Bill 1146 (2006).


**Contact:** Evelyn B. Brown, Executive Director, Board of Social Work, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9967, FAX (804) 662-7250, (804) 662-7197/TTY , email [evelyn.brown@dhp.virginia.gov](mailto:evelyn.brown@dhp.virginia.gov).

**October 13, 2006 - 10 a.m.** -- Open Meeting  
Department of Health Professions, 6603 West Broad Street, Fifth Floor, Richmond, Virginia. 

A regular business meeting.


**Contact:** Evelyn B. Brown, Executive Director, Board of Social Work, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9914, FAX (804) 662-7250, (804) 662-7197/TTY , email [evelyn.brown@dhp.virginia.gov](mailto:evelyn.brown@dhp.virginia.gov).

### BOARD FOR SOIL SCIENTISTS AND WETLAND PROFESSIONALS

**October 11, 2006 - 9 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. 

A meeting of the Soil Scientists and Wetland Delineators 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 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:** Mark N. Courtney, Executive Director, Board for Professional Soil Scientists and Wetland Professionals, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY , email [soilscientist@dpor.virginia.gov](mailto:soilscientist@dpor.virginia.gov).

### DEPARTMENT OF TRANSPORTATION


**October 18, 2006** - 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 Transportation intends to adopt regulations entitled **24 VAC 30-155, Traffic Impact Analysis Regulations**. The purpose of the proposed action is to publish a proposed APA-exempt regulation to satisfy the provisions of Chapter 527 of the 2006 Acts of Assembly. The regulation establishes procedures by which localities submit proposals that will affect the state-controlled transportation network to the Virginia Department of Transportation for review and comment to improve the manner in which land use and transportation planning decisions are coordinated and executed throughout the Commonwealth.

Statutory Authority: Chapter 527 of the 2006 Acts of Assembly.

**Contact:** Robert W. Hofrichter, Assistant Director for Land Use, Department of Transportation, 1401 E. Broad St., Richmond, VA 23219, telephone (804) 662-9612, FAX (804) 662-9405, or email [chapter527@vdot.virginia.gov](mailto:chapter527@vdot.virginia.gov).

### TREASURY BOARD

**October 18, 2006 - 9 a.m.** -- Open Meeting  
**November 15, 2006 - 9 a.m.** -- Open Meeting  
101 North 14th Street, 3rd Floor, Richmond, Virginia. 

A regular meeting.

**Contact:** J. Braxton Powell, Treasurer, Department of the Treasury, 101 N. 14th St., 3rd Floor, Richmond, VA 23218, telephone (225) 225-2142, FAX (225) 225-3187, email [braxton.powell@trs.virginia.gov](mailto:braxton.powell@trs.virginia.gov).


### DEPARTMENT OF VETERANS SERVICES

**October 18, 2006 - 11 a.m.** -- Open Meeting  
McGuire VA Medical Center - Building 507-A2, 1221 Broad Rock Road, Richmond, Virginia.

A meeting of the Veterans Care Center Advisory Committee. Public comment will be heard at the conclusion of the meeting.

**Contact:** Roz J. Trent, Coordinator, JLC, VVCAC and VSF Program Operations, Department of Veterans Services, 900 E. Main St., telephone (804) 786-0220, FAX (804) 786-0302, email roz.trent@dvs.virginia.gov.


## Joint Leadership Council of Veterans Service Organizations

**October 11, 2006 - 10 a.m.** -- Open Meeting  
American Legion Department of Virginia Building, 1708 Commonwealth Avenue, Richmond, Virginia. 

A regular meeting. Public comment will be heard at approximately 10:15 a.m. and also at the conclusion of the meeting.

**Contact:** Roz J. Trent, Coordinator of the JLC, VCCAC and VSF Program Operations, Department of Veterans Services, 900 E. Main St., Richmond, VA 23219, telephone (804) 786-0220, FAX (804) 786-0302, email roz.trent@dvs.virginia.gov.


## Veterans Services Foundation

**October 4, 2006 - 11 a.m.** -- Open Meeting  
American Legion Department of Virginia Building, 1708 Commonwealth Avenue, Richmond, Virginia. 

A meeting of the Board of Trustees. Public comment will be heard at the conclusion of the meeting.


**Contact:** Roz J. Trent, Coordinator of Board Operations, Department of Veterans Services, 900 E. Main St., Richmond, VA 23219, telephone (804) 786-0220, FAX (804) 786-0302, email roz.trent@dvs.virginia.gov.

## STATE WATER CONTROL BOARD

**October 3, 2006 - 7 p.m.** -- Open Meeting  
Department of Environmental Quality, Valley Regional Office, 4411 Early Road, Harrisonburg, Virginia. 


A public hearing to receive comments on the proposed reissuance of a discharge permit for Merck and Co., Inc. located in Elkton. In addition to the public hearing, an informational briefing will be held at the same location beginning at 6:30 p.m. The public comment period ends on October 18, 2006.

**Contact:** Eric Aschenbach, State Water Control Board, P.O. Box 3000, Harrisonburg, VA 22801, telephone (540) 574-7879, FAX (540) 574-7878, email etaschenbach@deq.virginia.gov.

**October 4, 2006 - 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 the regulation for wastewater reclamation and reuse.

**Contact:** Valerie Rourke, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4158, email varourke@deq.virginia.gov.

**October 12, 2006 - 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 State Water Control Board's notice of intent to amend the water quality standards. The notice of intent appears in the Virginia Register of Regulations on September 18, 2006. As indicated in the notice of intent, an advisory committee will be established to assist in the development of amendments to the water quality standards. For anyone interested in serving on the advisory committee, the dates of the advisory committee meeting have been scheduled for 10 a.m. on December 1, 2006, February 21, 2007, March 21, 2007, April 18, 2007, and May 9, 2007. The advisory committee meetings will also be at the Piedmont Regional Office.

**Contact:** Eleanore M. Daub, State Water Control Board, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4111, email emdaub@deq.virginia.gov.

**† October 17, 2006 - 7 p.m.** -- Public Hearing  
Central Elementary School, Auditorium, Palmyra, Virginia.

A public hearing to receive comments on the proposed issuance of a VPDES permit for a 104 million gallon per day wastewater treatment plant (Southern Pines Pollution Control Plant) in Fluvanna County. An informational briefing will be held before the hearing beginning at 6:30 p.m. The public comment period closes on November 1, 2006.

**Contact:** Brandon Kiracofe, State Water Control Board, P.O. Box 3000, Harrisonburg, VA 22801, telephone (540) 574-7892, FAX (540) 574-7878, email bdkiracofe@deq.virginia.gov.

**† October 20, 2006 - 9:30 a.m.** -- Open Meeting  
**† November 7, 2006 - 9:30 a.m.** -- Open Meeting  
Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia. 


A meeting of a workgroup assisting in the development of implementation guidance for nonpoint source nutrient reductions, which are intended to offset new and expanded point source discharges of total nitrogen and total phosphorus in the Chesapeake Bay Watershed.

**Contact:** Kyle Winter, State Water Control Board, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4182, FAX (804) 698-4032, email kiwinter@deq.virginia.gov.

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## Calendar of Events

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† **October 23, 2006 - 1 p.m.** -- Open Meeting  
Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia. 


The Department of Environmental Quality (DEQ) has scheduled a meeting for invited stakeholders and other interested public to provide a briefing on the efforts of agency staff and the Academic Advisory Committee on Freshwater Nutrient Criteria and to consult with the stakeholders on these efforts. The primary focus of this meeting will be on development of criteria to protect the designated uses of streams and rivers from the impacts of nutrients, but staff will also provide an update on the status of the rulemaking on nutrient criteria for lakes and reservoirs. Presentations will be made by DEQ staff and representatives from the Academic Advisory Committee and Virginia Association of Municipal Wastewater Agencies.

**Contact:** Jean W. Gregory, State Water Control Board, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4113, email [jwgreagory@deq.virginia.gov](mailto:jwgreagory@deq.virginia.gov).

† **October 26, 2006 - 9 a.m.** -- Open Meeting  
Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia. 

This is a joint meeting of the VWP – Water Permitting and the WP5 – Minor Surface Water Withdrawal Technical Advisory Committees to discuss proposed revisions/additions to the proposed VWP Amendments that incorporate the key components of the proposed General Permit (WP5) for Minor Surface Water Withdrawals. Please note that the location of this meeting may change.

**Contact:** William K. Norris, State Water Control Board, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4022, FAX (804) 698-4347, email [wknorris@deq.virginia.gov](mailto:wknorris@deq.virginia.gov).

**December 1, 2006 - 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 to be established to assist in the development of amendments to the water quality standards. The notice of intent appears in the Virginia Register of Regulations on September 18, 2006.

**Contact:** Elleanore M. Daub, State Water Control Board, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4111, FAX (804) 698-4116, email [emdaub@deq.virginia.gov](mailto:emdaub@deq.virginia.gov).


### BOARD FOR WATERWORKS AND WASTEWATER WORKS OPERATORS

**November 3, 2006** - 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 for Waterworks and Wastewater Works Operators intends to amend regulations entitled **18 VAC 160-20, Board for Waterworks and Wastewater Works Operators Regulations**. The purpose of the proposed action is to delete current language providing for a paper and pencil examination and add language that provides for a computer-administered examination as well as language enabling applicants to apply directly to the examination vendor rather than to the board to sit for the examination. The vendor will, in consultation with board staff, determine applicant eligibility to sit for the examination. Those passing the examination must apply to the board for licensure. The amendments will replace the current single application to sit for the examination and become licensed with a separate application to sit for the examination and a separate application for license. Under the proposed amendments, applicants will be able to qualify to sit for the examination and become licensed in a much shorter period of time.

Statutory Authority: §§ 54.1-201 and 54.1-2301 of the Code of Virginia.

**Contact:** David E. Dick, Executive Director, Board for Waterworks and Wastewater Works Operators, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-2648, FAX (804) 367-6128 or email [waterwasteoper@dpor.virginia.gov](mailto:waterwasteoper@dpor.virginia.gov).


**December 6, 2006 - 8:30 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Board 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:** David E. Dick, Executive Director, Board for Waterworks and Wastewater Works Operators, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8595, FAX (804) 367-2475, (804) 367-9753/TTY , email [waterwasteoper@dpor.virginia.gov](mailto:waterwasteoper@dpor.virginia.gov).

**INDEPENDENT**

**STATE LOTTERY BOARD**

**October 18, 2006 - 9:30 a.m.** -- Open Meeting  
State Lottery Department, 900 East Main Street, 13th Floor,  
Richmond, Virginia. 

A regular meeting. 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) 692-7905, email fferguson@valottery.com.

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**October 20, 2006** - 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 Lottery Board intends to amend regulations entitled **11 VAC 5-20, Administration Regulations**. The purpose of the proposed action is to require the department to follow the procedures contained in Virginia Lottery Purchasing Manual when purchasing goods or services.

Statutory Authority: § 58.1-4007 of the Code of Virginia.


**Contact:** Betty K. Hill, Legislative & Regulatory Coordinator, State Lottery Department, 900 E. Main St., Richmond, VA 23219, telephone (804) 692-7904, FAX (804-692-7603) or email bhill@valottery.com.

**VIRGINIA OFFICE FOR PROTECTION AND  
ADVOCACY**


† **December 13, 2006 - 10 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)

A regular meeting of the Disabilities Advisory Council. Public comment is welcomed by the council and will be received beginning at 10 a.m. Public comment will also be accepted by telephone. If you wish to provide public comment via telephone, call Tracy Manley, Administrative Assistant at 1-800-552-3962 (Voice/TTY) or via email at tracy.manley@vopa.virginia.gov no later than November 29, 2006. Ms. Manley will take your name and phone number and you will be telephoned during the public comment period. If interpreter services or other accommodations are required, please contact Ms. Manley no later than November 29, 2006.


**Contact:** Tracy Manley, Administrative Assistant, Virginia Office for Protection and Advocacy, 1910 Byrd Ave., Richmond, VA 23230, telephone (804) 225-2042, FAX (804)

662-7431, toll-free (800) 552-3962, (804) 225-2042/TTY , email tracy.manley@vopa.virginia.gov.


**PAIMI Advisory Council**

**November 16, 2006 - 10 a.m.** -- Open Meeting  
Charlottesville, Virginia.  (Interpreter for the deaf provided upon request)


Public comment is welcome and will be received at the beginning of the meeting. If interpreter services or other accommodations are required, please contact Ms. Shehi no later than November 2, 2006.


**Contact:** Lisa Shehi, Administrative Assistant, Virginia Office for Protection and Advocacy, 1910 Byrd Ave., Suite 5, Richmond, VA 23230, telephone (804) 662-7213, FAX (804) 662-7431, toll-free (800) 552-3962, (804) 225-2042/TTY , email lisa.shehi@vopa.virginia.gov.

**VIRGINIA RETIREMENT SYSTEM**


**October 11, 2006 - 1:30 p.m.** -- Open Meeting  
**November 8, 2006 - 1:30 p.m.** -- Open Meeting  
**December 13, 2006 - 1:30 p.m.** -- Open Meeting  
Virginia Retirement System, 1200 East Main Street,  
Richmond, Virginia. 

A meeting of the Benefits and Actuarial Committee. No public comment will be received at the meeting.

**Contact:** LaShaunda King, Executive Assistant, Virginia Retirement System, 1200 E. Main St., Richmond, VA 23219, telephone (804) 344-3124, FAX (804) 786-1541, toll-free (888) 827-3847, (804) 344-3190/TTY , email lking@varetire.org.

**October 12, 2006 - 1 p.m.** -- Open Meeting  
**November 9, 2006 - 1 p.m.** -- Open Meeting  
**December 14, 2006 - 1 p.m.** -- Open Meeting  
Virginia Retirement System, 1111 East Main Street, 3rd Floor  
Conference Room, Richmond, Virginia. 

A regular meeting of the Board of Trustees. No public comment will be received at the meeting.

**Contact:** LaShaunda King, Executive Assistant, Virginia Retirement System, 1200 E. Main St., Richmond, VA 23219, telephone (804) 344-3124, FAX (804) 786-1541, toll-free (888) 827-3847, (804) 344-3190/TTY , email lking@varetire.org.

**November 8, 2006 - 3 p.m.** -- Open Meeting  
Virginia Retirement System, 1200 East Main Street,  
Richmond, Virginia.

A meeting of the Audit and Compliance Committee.

**Contact:** LaShaunda King, Executive Assistant, Virginia Retirement System, 1200 E. Main St., Richmond, VA 23219, telephone (804) 344-3124, FAX (804) 786-1541, toll-free



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## Calendar of Events

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(888) 827-3847, (804) 344-3190/TTY ☎, email [lking@varetire.org](mailto:lking@varetire.org).

**November 9, 2006 - 9 a.m.** -- Open Meeting

**December 14, 2006 - 9 a.m.** -- Open Meeting

Virginia Retirement System, 1111 East Main Street, 3rd Floor Conference Room, Richmond, Virginia. ♿

A regular meeting of the Investment Advisory Committee. No public comment will be received at the meeting.

**Contact:** Linda Ritchey, Executive Assistant, Virginia Retirement System, 1111 E. Main St., Richmond, VA 23219, telephone (804) 697-6673, FAX (804) 786-1541, toll-free (888) 827-3847, (804) 344-3190/TTY ☎, email [lritchey@varetire.org](mailto:lritchey@varetire.org).

**December 12, 2006 - Noon** -- Open Meeting

Virginia Retirement System, 1200 East Main Street, Richmond, Virginia. ♿

A regular meeting of the Optional Retirement Plan for Higher Education Committee. No public comment will be received at the meeting.

**Contact:** Patty Atkins-Smith, Legislative Liaison and Policy Analyst, Virginia Retirement System, 1200 E. Main St., Richmond, VA 23219, telephone (804) 344-3123, FAX (804) 786-1541, toll-free (888) 827-3847, (804) 344-3190/TTY ☎, email [psmith@varetire.org](mailto:psmith@varetire.org).

## LEGISLATIVE

### JOINT COMMISSION ON ADMINISTRATIVE RULES

**October 4, 2006 - 10 a.m.** -- Open Meeting

General Assembly Building, 9th and Broad Streets, Senate Room A, Richmond, Virginia. ♿

A regular meeting. For questions regarding the meeting agenda, contact Elizabeth Palen, 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) 698-7410.

### VIRGINIA FREEDOM OF INFORMATION ADVISORY COUNCIL

† **October 11, 2006 - 10 a.m.** -- Open Meeting

General Assembly Building, 910 Capitol Street, Speaker's Conference Room, 6th Floor, Richmond, Virginia. ♿

The third meeting of the Electronic Meetings Subcommittee in 2006.

**Contact:** Maria J.K. Everett, Executive Director, Virginia Freedom of Information Advisory Council, General Assembly Bldg., 910 Capitol St., 2nd Floor, Richmond, VA 23219, telephone (804) 225-3056, FAX (804) 371-8705, toll-free (866) 448-4100, email [foiacouncil@leg.state.va.us](mailto:foiacouncil@leg.state.va.us).

† **October 11, 2006 - 1:30 p.m.** -- Open Meeting

General Assembly Building, 910 Capitol Street, House Room C, Richmond, Virginia. ♿

The second meeting of the FOIA Council in 2006.

**Contact:** Maria J.K. Everett, Executive Director, Virginia Freedom of Information Advisory Council, General Assembly Bldg., 910 Capitol St., 2nd Floor, Richmond, VA 23219, telephone (804) 225-3056, FAX (804) 371-8705, toll-free (866) 448-4100, email [foiacouncil@leg.state.va.us](mailto:foiacouncil@leg.state.va.us).

### HOUSE APPROPRIATIONS COMMITTEE

**October 16, 2006 - 9:30 a.m.** -- Open Meeting

**November 13, 2006 - TBA** - Open Meeting

**November 14, 2006 - TBA** - Open Meeting

General Assembly Building, 9th and Broad Streets, 9th Floor, Richmond, Virginia. ♿

A regular meeting.

**Contact:** Barbara L. Teague, House Committee Operations, 910 Capitol St., Richmond, VA 23219, telephone (804) 698-1540.

### VIRGINIA CODE COMMISSION

**October 18, 2006 - 1 p.m.** -- Open Meeting

LexisNexis, 701 East Water Street, Charlottesville, Virginia.

The Commission will tour the LexisNexis facility in Charlottesville.

**Contact:** Jane Chaffin, Registrar of Regulations, Virginia Code Commission, General Assembly Bldg., 2nd Floor, 910 Capitol St., Richmond, VA 23219, telephone (804) 786-3591, FAX (804) 692-0625, email [jchaffin@leg.state.va.us](mailto:jchaffin@leg.state.va.us).

NOTE: CHANGE IN MEETING LOCATION

**October 19, 2006 - 9 a.m.** -- Open Meeting

Courtyard Marriott at UVA, Charlottesville, Virginia.

A general business meeting.

**Contact:** Jane Chaffin, Registrar of Regulations, General Assembly Bldg., 2nd Floor, 910 Capitol St., Richmond, VA

23219, telephone (804) 786-3591, FAX (804) 692-0625, email jchaffin@leg.state.va.us.

**November 9, 2006 - 10 a.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, 6th Floor, Speaker's Conference Room, Richmond, Virginia. ♿

A regularly scheduled meeting.

**Contact:** Jane D. Chaffin, Registrar of Regulations, 910 Capitol St., 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591, FAX (804) 692-0625, email jchaffin@leg.state.va.us.

## HOUSE COMMITTEE ON COMMERCE AND LABOR

**October 3, 2006 - 10 a.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia. ♿

A regular meeting. For questions regarding the meeting agenda contact Frank Munyan, Division of Legislative Services, (804) 786-3591.

**Contact:** Barbara L. Teague, House Committee Operations, 910 Capitol St., Richmond, VA 23219, telephone (804) 698-1540.

## HOUSE HEALTH, WELFARE AND INSTITUTIONS COMMITTEE

**October 25, 2006 - 2 p.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, House Room C, Richmond, Virginia. ♿

A meeting of the COPN Task Force.

**Contact:** Lori L. Maynard, House Committee Operations, 910 Capitol St., Richmond, VA 23219, telephone (804) 698-1540.

## JOINT SUBCOMMITTEE STUDYING OPEN SPACE FARMLAND PRESERVATION

**October 10, 2006 - 12:30 p.m.** -- Open Meeting  
Barrier Islands Center, Machipongo, Virginia. ♿

A regular meeting. For questions regarding the meeting agenda contact Mark Vucci, Division of Legislative Services, (804) 786-3591.

**Contact:** Pam Burham, House Committee Operations, 910 Capitol St., Richmond, VA 23219, telephone (804) 698-1540.

## JOINT SUBCOMMITTEE STUDYING THE COMMONWEALTH'S PROGRAM FOR PRISONER REENTRY TO SOCIETY

**October 26, 2006 - 10 a.m.** -- Open Meeting  
**November 14, 2006 - 2 p.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, Senate Room B, Richmond, Virginia. ♿

A regular meeting. For questions regarding the meeting agenda, please contact Ellen Weston, Division of Legislative Services at (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:** Rich Fiorella, Senate Committee Operations, General Assembly Bldg., 910 Capitol St., Richmond, VA 23219, telephone (804) 698-7410.

## JOINT SUBCOMMITTEE STUDYING SCIENCE, MATH AND TECHNOLOGY EDUCATION

† **October 10, 2006 - 12:30 p.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, House Room C, Richmond, Virginia. ♿

† **October 25, 2006 - 1 p.m.** -- Open Meeting  
Thomas Jefferson High School, 6560 Braddock Road, Alexandria, Virginia.

A regular meeting. For questions regarding the meeting agenda contact Patrick Cushing or Nicole Seeds, Division of Legislative Services, (804) 786-3591.

**Contact:** Pam Burham, House Committee Operations, 910 Capitol St., Richmond, VA 23219, telephone (804) 698-1540.

## SMALL BUSINESS COMMISSION

**October 27, 2006 - 10 a.m.** -- Open Meeting  
Roanoke Higher Education Center, Roanoke, Virginia. ♿

A regular meeting. 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) 698-7410.

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# Calendar of Events


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## JOINT COMMISSION ON TECHNOLOGY AND SCIENCE

**October 3, 2006 - 1 p.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets,  
Richmond, Virginia. 


A meeting of JCOTS Nanotechnology Manufacturing and Research and Development Advisory Committees.

**Contact:** Patrick Cushing, Staff Attorney, Joint Commission on Technology and Science, General Assembly Bldg., 910 Capitol St., 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591, email pcushing@leg.state.va.us.

**October 4, 2006 - 10 a.m.** -- Open Meeting  
Patrick Henry Building, 1111 East Broad Street, House Room 1, Richmond, Virginia. 


A meeting of the JCOTS Electronic Balloting Advisory Committee.

**Contact:** Patrick Cushing, Staff Attorney, Joint Commission on Technology and Science, General Assembly Bldg., 910 Capitol St., 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591, email pcushing@leg.state.va.us.

**October 10, 2006 - 2 p.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, Speaker's Conference Room, Richmond, Virginia. 


A meeting of JCOTS Cybercrimes Advisory Committee.

**Contact:** Patrick Cushing, Staff Attorney, Joint Commission on Technology and Science, General Assembly Bldg., 910 Capitol St., 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591, email pcushing@leg.state.va.us.

**October 11, 2006 - 1 p.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia. 

A regular meeting of the commission.


**Contact:** Patrick Cushing, Staff Attorney, Joint Commission on Technology and Science, General Assembly Bldg., 910 Capitol St., 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591, email pcushing@leg.state.va.us.

**November 30, 2006 - 10 a.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia. 

A regular meeting. Teleconferenced site: 510 Cumberland Street, Suite 308, Bristol, Virginia. In case of technical difficulties during the meeting, contact Lisa Wallmeyer at 804-786-3591.

**Contact:** Lisa Wallmeyer, Executive Director, Joint Commission on Technology and Science, General Assembly Bldg., 910 Capitol St., 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591.

## VIRGINIA UNEMPLOYMENT COMPENSATION COMMISSION

**† October 30, 2006 - 2 p.m.** -- Open Meeting  
**November 14, 2006 - 2 p.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, Senate Room A, Richmond, Virginia. 

A regular meeting. For questions regarding the meeting agenda, please contact Frank Munyan, Division of Legislative Services at (804) 786-3591.

**Contact:** Hobie Lehman, Senate Committee Operations, General Assembly Bldg., 910 Capitol St., Richmond, VA 23219, telephone (804) 698-7410.

## CHRONOLOGICAL LIST

### OPEN MEETINGS

#### October 2

Alcoholic Beverage Control Board  
† Nursing, Board of

#### October 3

† Accountancy, Board of  
Arts, Virginia Commission for the  
Commerce and Labor, House Committee on  
Conservation and Recreation, Department of  
Contractors, Board for  
† Health, Department of  
Medicine, Board of  
- Advisory Board on Occupational Therapy  
- Advisory Board on Respiratory Care  
Museum of Fine Arts, Virginia  
Nursing, Board of  
Technology and Science, Joint Commission on  
Water Control Board, State

#### October 4

Administrative Rules, Joint Commission on  
† Blind and Vision Impaired, Department for the  
Education, Secretary of  
† Environmental Quality, Department of  
Health Professions, Department of  
Medicine, Board of  
- Advisory Board on Acupuncture  
- Advisory Board on Radiologic Technology  
Technology and Science, Joint Commission on  
Veterans Services, Department of  
- Veterans Services Foundation  
Water Control Board, State

#### October 5

† Assistive Technology Loan Fund Authority  
Auctioneers Board  
† Blind and Vision Impaired, Department for the  
Conservation and Recreation, Department of  
- Virginia Scenic River Advisory Board  
Medicine, Board of

- Advisory Board on Athletic Training
- Advisory Board on Physician Assistants

## October 6

- Art and Architectural Review Board
- † Blind and Vision Impaired, Department for the George Mason University
- Medicine, Board of
  - Advisory Board on Midwifery
- Nursing, Board of

## October 10

- † Accountancy, Board of
- † Medical Assistance Services, Department of
- † Motor Vehicles, Department of
  - Motor Advisory Council
- Open Space and Farmland Preservation, Joint Subcommittee Studying
- Psychology, Board of
- Rehabilitative Services, Department of
- † Science, Math and Technology Education, Joint Subcommittee Studying
- Technology and Science, Joint Commission on

## October 11

- Conservation and Recreation, Department of
- † Environmental Quality, Department of
- † Fire Services Board, Virginia
- † Freedom of Information Advisory Council, Virginia
- † Funeral Directors and Embalmers, Board of
- † Health, Department of
- † Higher Education Tuition Trust Fund, Virginia
- Natural Resources, Foundation for Virginia's
- Nursing, Board of
- † Pharmacy, Board of
- Real Estate Board
- Retirement System, Virginia
- Soil Scientists and Wetland Professionals, Board for Professional
- Technology and Science, Joint Commission on
- Veterans Services, Department of

## October 12

- Conservation and Recreation, Department of
- † Contractors, Board for
- † Fire Services Board, Virginia
- Museum of Fine Arts, Virginia
- Nursing, Board of
- Real Estate Board
- Retirement System, Virginia
- Water Control Board, State

## October 13

- Dentistry, Board of
- Fire Services Board, Virginia
- Social Work, Board of

## October 16

- Alcoholic Beverage Control Board
- Appropriations Committee, House
- Conservation and Recreation, Department of

- Nursing, Board of
- Old Dominion University

## October 17

- Cemetery Board
- † Contractors, Board for
- † Environmental Quality, Department of Governor, Office of
  - Olmstead Community Integration Implementation Team
- † Health, Department of
- † Higher Education for Virginia, State Council of
- † Water Control Board, State

## October 18

- † Blind and Vision Impaired, Department for the Code Commission, Virginia
- Compensation Board
- † Conservation and Recreation, Department of
- † Education, Board of
- † Environmental Quality, Department of
- Geology, Board for
- † Health Professions, Department of
- Lottery Board, State
- Medical Assistance Services, Department of
- † Motor Vehicles, Department of
  - Board of Transportation Safety
- Nursing, Board of
  - Joint Boards of Nursing and Medicine
- † Small Business Financing Authority, Virginia
- Social Services, State Board of
- Treasury Board
- Veterans Services, Department of

## October 19

- Arts, Virginia Commission for the Code Commission, Virginia
- Conservation and Recreation, Department of
- Design-Build/Construction Management Review Board
- † Education, Board of
- Jamestown-Yorktown Foundation
- Medicine, Board of
- † Pesticide Control Board
- Social Services, State Board of

## October 20

- † Education, Board of
- † Water Control Board, State

## October 21

- † Blind and Vision Impaired, Department for the

## October 23

- Medical Assistance Services, Department of
- † Water Control Board, State

## October 24

- † Accountancy, Board of
- Contractors, Board for
- † Marine Resources Commission
- Nursing, Board of

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# Calendar of Events

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**October 25**

Architects, Professional Engineers, Land Surveyors,  
Certified Interior Designers and Landscape Architects,  
Board for  
Education, Board of  
Health, Welfare and Institutions Committee, House  
† Science, Math and Technology Education, Joint  
Subcommittee Studying

**October 26**

Conservation and Recreation, Department of  
Polygraph Examiners Advisory Board  
Prisoner Reentry to Society, Joint Subcommittee the  
Commonwealth's Program for  
† Water Control Board, State

**October 27**

† Accountancy, Board of  
† Blind and Vision and Impaired, Department for the  
Dentistry, Board of  
Rehabilitation Services, Department of  
Small Business Commission

**October 30**

† Unemployment Compensation Commission

**October 31**

Architects, Professional Engineers, Land Surveyors,  
Certified Interior Designers and Landscape Architects,  
Board for  
Chesapeake Bay Local Assistance Board  
† Conservation and Recreation, Department of  
† Contractors, Board for  
Long-Term Care Administrators, Board for  
† Real Estate Appraiser Board

**November 1**

Asbestos, Lead, and Home Inspectors, Board for  
Branch Pilots, Board for  
† Health, Department of  
† Real Estate Appraiser Board

**November 2**

Architects, Professional Engineers, Land Surveyors,  
Certified Interior Designers and Landscape Architects,  
Board for  
† Health, Department of  
† Medicine, Board of

**November 3**

Art and Architectural Review Board

**November 6**

Alcoholic Beverage Control Board  
Barbers and Cosmetology, Board for  
Emergency Planning Committee, Local  
- City of Winchester

**November 7**

† Medicine, Board of  
Museum of Fine Arts, Virginia  
Real Estate Appraiser Board  
† Water Control Board, State

**November 8**

Architects, Professional Engineers, Land Surveyors,  
Certified Interior Designers and Landscape Architects,  
Board for  
Information Technologies Agency, Virginia  
- E911 Wireless Service Board  
Juvenile Justice, State Board of  
Retirement System, Virginia

**November 9**

Architects, Professional Engineers, Land Surveyors,  
Certified Interior Designers and Landscape Architects,  
Board for  
Code Commission, Virginia  
Conservation and Recreation, Department of  
Medical Assistance Services, Department of  
Retirement System, Virginia

**November 13**

Appropriations Committee, House  
Library Board  
Nursing, Board of  
Professional and Occupational Regulation, Board for

**November 14**

Appropriations Committee, House  
Corrections, Board of  
Nursing, Board of  
Prisoner Reentry to Society, Joint Subcommittee the  
Commonwealth's Program for  
Research and Technology Advisory Commission, Virginia  
† Unemployment Compensation Commission, Virginia

**November 15**

Corrections, Board of  
Education, Secretary of  
Hearing Aid Specialists, Board for  
† Medicine, Board of  
Nursing, Board of  
Outdoors Foundation, Virginia  
Treasury Board

**November 16**

Conservation and Recreation, Department of  
- Virginia Soil and Water Conservation Board  
Design-Build/Construction Management Review Board  
Health, Department of  
Nursing, Board of  
Outdoors Foundation, Virginia  
Protection and Advocacy, Virginia Office for  
- PAIMI Advisory Council

**November 17**

Child Fatality Review Team, State  
Dentistry, Board of

**November 20**

Alcoholic Beverage Control Board  
Jamestown-Yorktown Foundation  
Old Dominion University

**November 21**

Conservation and Recreation, Department of  
Jamestown-Yorktown Foundation

**November 28**

Contractors, Board for  
† Marine Resources Commission

**November 29**

Education, Board of  
† Medicine, Board of

**November 30**

Nursing, Board of  
Technology and Science, Joint Commission on

**December 1**

Art and Architectural Review Board  
Nursing, Board of  
Water Control Board, State

**December 4**

Alcoholic Beverage Control Board  
Branch Pilots, Board for  
Nursing, Board of  
Real Estate Board

**December 5**

Branch Pilots, Board for  
Charitable Gaming Board  
Museum of Fine Arts, Virginia  
Nursing, Board of  
Real Estate Board

**December 6**

George Mason University  
Jamestown-Yorktown Foundation  
Mental Health, Mental Retardation and Substance Abuse  
Services, Department of  
Nursing and Medicine, Joint Boards of  
Waterworks and Wastewater Works Operators, Board for

**December 7**

Dentistry, Board of  
Nursing, Board of  
Polygraph Examiners Advisory Board  
Public Guardian and Conservator Advisory Board

**December 8**

Dentistry, Board of  
Health, Department of  
Medicine, Board of  
Old Dominion University  
Opticians, Board for

**December 10**

† Health, Department of

**December 11**

Branch Pilots, Board for  
Chesapeake Bay Local Assistance Board

**December 12**

Medical Assistance Services, Board of  
Nursing, Board of  
Retirement System, Virginia

**December 13**

Nursing, Board of  
Pharmacy, Board of  
† Protection and Advocacy, Virginia Office for

Retirement System, Virginia

**December 14**

Conservation and Recreation, Department of  
Human Resources, Virginia Council on  
Labor and Industry, Department of  
- Virginia Apprenticeship Council  
Retirement System, Virginia

**December 15**

Asbestos, Lead, and Home Inspectors, Virginia Board for  
Dentistry, Board of

**December 18**

Alcoholic Beverage Control Board

**December 19**

† Contractors, Board for  
Governor, Office of  
- Olmstead Community Integration Implementation  
Team  
† Marine Resources Commission

**December 21**

† Design-Build/Construction Management Review Board

**January 2, 2007**

† Museum of Fine Arts, Virginia

## PUBLIC HEARINGS

**October 3**

Mental Health, Mental Retardation and Substance Abuse  
Services, State Board of

**October 4**

Health, Board of

**October 5**

Auctioneers Board

**October 6**

Environmental Quality, Department of

**October 11**

Health, Board of  
Mental Health, Mental Retardation and Substance Abuse  
Services, State Board of

**October 12**

Air Pollution Control Board, State

† Social Work, Board of

**October 17**

Cemetery Board

Mental Health, Mental Retardation and Substance Abuse  
Services, State Board of

† Water Control Board, State

**October 18**

Environmental Quality, Department of  
Medical Assistance Services, Department of

**October 19**

Mental Health, Mental Retardation and Substance Abuse  
Services, State Board of

**October 23**

† Mental Health, Mental Retardation and Substance Abuse  
Services, State Board of

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## Calendar of Events

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**October 24**

Mental Health, Mental Retardation and Substance Abuse  
Services, State Board of

**October 25**

† Air Pollution Control Board  
† Water Control Board, State

**November 8**

Mental Health, Mental Retardation and Substance Abuse  
Services, State Board of

**November 9**

Mental Health, Mental Retardation and Substance Abuse  
Services, State Board of