



VIRGINIA

REGISTER OF REGULATIONS

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VIRGINIA REGISTER INFORMATION PAGE

THE VIRGINIA REGISTER OF REGULATIONS is an official state publication issued every other week throughout the year. Indexes are published quarterly, and are cumulative for the year. 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, and notices of public hearings on regulations.

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 on 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.

A 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

Pursuant to § 2.2-4011 of the Code of Virginia, an agency, upon consultation with the Attorney General, and at the discretion of the Governor, may adopt emergency regulations that are necessitated by an emergency situation. An agency may also adopt an emergency regulation when Virginia statutory law or the appropriation act or federal law or federal regulation requires that a regulation be effective in 280 days or less from its enactment. 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 no more than 18 months in duration; however, may be extended for six months under certain circumstances as provided for in § 2.2-4011 D. 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. **29:5 VA.R. 1075-1192 November 5, 2012**, refers to Volume 29, Issue 5, pages 1075 through 1192 of the *Virginia Register* issued on November 5, 2012.

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: **John S. Edwards**, Chair; **James M. LeMunyon**, Vice Chair; **Gregory D. Habeeb**; **Ryan T. McDougle**; **Pamela S. Baskerville**; **Robert L. Calhoun**; **Carlos L. Hopkins**; **E.M. Miller, Jr.**; **Thomas M. Moncure, Jr.**; **Christopher R. Nolen**; **Timothy Oksman**; **Charles S. Sharp**; **Mark J. Vucci**.

Staff of the Virginia Register: **Jane D. Chaffin**, Registrar of Regulations; **Karen Perrine**, Assistant Registrar; **Anne Bloomsburg**, Regulations Analyst; **Rhonda Dyer**, Publications Assistant; **Terri Edwards**, Operations Staff Assistant.

PUBLICATION SCHEDULE AND DEADLINES

This schedule is available on the *Register's* Internet home page (<http://register.dls.virginia.gov>).

April 2016 through April 2017

<u>Volume: Issue</u>	<u>Material Submitted By Noon*</u>	<u>Will Be Published On</u>
32:16	March 16, 2016	April 4, 2016
32:17	March 30, 2016	April 18, 2016
32:18	April 13, 2016	May 2, 2016
32:19	April 27, 2016	May 16, 2016
32:20	May 11, 2016	May 30, 2016
32:21	May 25, 2016	June 13, 2016
32:22	June 8, 2016	June 27, 2016
32:23	June 22, 2016	July 11, 2016
32:24	July 6, 2016	July 25, 2016
32:25	July 20, 2016	August 8, 2016
32:26	August 3, 2016	August 22, 2016
33:1	August 17, 2016	September 5, 2016
33:2	August 31, 2016	September 19, 2016
33:3	September 14, 2016	October 3, 2016
33:4	September 28, 2016	October 17, 2016
33:5	October 12, 2016	October 31, 2016
33:6	October 26, 2016	November 14, 2016
33:7	November 9, 2016	November 28, 2016
33:8	November 22, 2016 (Tuesday)	December 12, 2016
33:9	December 7, 2016	December 26, 2016
33:10	December 19, 2016 (Monday)	January 9, 2017
33:11	January 4, 2017	January 23, 2017
33:12	January 18, 2017	February 6, 2017
33:13	February 1, 2017	February 20, 2017
33:14	February 15, 2017	March 6, 2017
33:15	March 1, 2017	March 20, 2017
33:16	March 15, 2017	April 3, 2017

*Filing deadlines are Wednesdays unless otherwise specified.

PETITIONS FOR RULEMAKING

TITLE 18. PROFESSIONAL AND OCCUPATIONAL LICENSING

BOARD OF OPTOMETRY

Initial Agency Notice

Title of Regulation: 18VAC105-20. Regulations Governing the Practice of Optometry.

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

Name of Petitioner: Joseph Spivey.

Nature of Petitioner's Request: Add a requirement for an optometrist to provide a patient's pupillary distance as measured by the optometrist to the patient upon request.

Agency Plan for Disposition of Request: In accordance with Virginia law, the petition has been filed with the Registrar of Regulations and will be published on April 4, 2016. Comment on the petition may be sent by email or regular mail or posted on the Virginia Regulatory Townhall at www.townhall.virginia.gov; comment will be requested until May 4, 2016. Following receipt of all comments on the petition to amend regulations, the board will decide whether to make any changes to the regulatory language. This matter will be on the board's agenda for its next meeting scheduled for July 15, 2016, and the petitioner will be informed of the board's decision after that meeting.

Public Comment Deadline: May 4, 2016.

Agency Contact: Elaine J. Yeatts, Agency Regulatory Coordinator, Department of Health Professions, 9960 Mayland Drive, Richmond, VA 23233, telephone (804) 367-4688, or email elaine.yeatts@dhp.virginia.gov.

VA.R. Doc. No. R16-20; Filed March 7, 2016, 3:40 p.m.

BOARD OF PSYCHOLOGY

Initial Agency Notice

Title of Regulation: 18VAC125-20. Regulations Governing the Practice of Psychology.

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

Name of Petitioner: Dr. John Wieriman.

Nature of Petitioner's Request: To require psychologists to perform standardized pre testing and post testing on clients and offer evaluation of counseling sessions at their termination.

Agency Plan for Disposition of Request: In accordance with Virginia law, the petition has been filed with the Registrar of Regulations for publication on April 4, 2016, with a request for comment to be received until May 2, 2016. The petition will also be posted for comment on the Virginia Regulatory Townhall at www.townhall.virginia.gov. At the next meeting after the comment period, which is scheduled for May 4,

2016, the board will consider the petition and any comment received to decide whether or not to initiate the rulemaking process.

Public Comment Deadline: May 2, 2016.

Agency Contact: Elaine J. Yeatts, Agency Regulatory Coordinator, Department of Health Professions, 9960 Mayland Drive, Richmond, VA 23233, telephone (804) 367-4688, or email elaine.yeatts@dhp.virginia.gov.

VA.R. Doc. No. R16-21; Filed March 10, 2016, 12:04 p.m.

NOTICES OF INTENDED REGULATORY ACTION

TITLE 18. PROFESSIONAL AND OCCUPATIONAL LICENSING

BOARD OF DENTISTRY

Withdrawal of Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007.01 of the Code of Virginia that the Board of Dentistry has WITHDRAWN the Notice of Intended Regulatory Action for **18VAC60-20, Regulations Governing Dental Practice**, which was published in [32:6 VA.R. 761-762 November 16, 2015](#). In response to comment to the notice, the board determined to withdraw the notice and to work on other strategies to address issues relating to communicating changes in laws and regulations to licensed dentists and dental hygienists.

Statutory Authority: §§ 54.1-2400, 54.1-2709, and 54.1-2729 of the Code of Virginia.

Agency Contact: Sandra Reen, Executive Director, Board of Dentistry, 9960 Mayland Drive, Suite 300, Richmond, VA 23233-1463, telephone (804) 367-4538, FAX (804) 527-4428, or email sandra.reen@dhp.virginia.gov.

VA.R. Doc. No. R16-4392; Filed March 11, 2016, 3:35 p.m.

REGULATIONS

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

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.

TITLE 1. ADMINISTRATION

STATE BOARD OF ELECTIONS

Reproposed Regulation

REGISTRAR'S NOTICE: The State Board of Elections is claiming an exemption from the Administrative Process Act pursuant to § 2.2-4002 B 8 of the Code of Virginia, which exempts agency action relating to the conduct of elections or eligibility to vote.

Title of Regulation: 1VAC20-60. Election Administration (amending 1VAC20-60-30, 1VAC20-60-40, 1VAC20-60-50).

Statutory Authority: § 24.2-103 of the Code of Virginia.

Public Hearing Information: June 14, 2016 - 8 a.m. - Washington Building, Room B27, 1100 Bank Street, Richmond, VA 23219.

Public Comment Deadline: April 25, 2016.

Agency Contact: Myron McClees, Department of Elections, 1100 Bank Street, Richmond, VA 23219, telephone (804) 864-8949, FAX (804) 786-0760, or email myron.mcclees@elections.virginia.gov.

Summary:

The repropoed amendments (i) clarify the use of electronic devices in the polling place, (ii) establish that a ballot is cast for provisional ballots when the voter relinquishes possession of a completed provisional ballot envelope containing the ballot to the possession of an officer of election, and (iii) establish the process for emptying an overfull ballot container during an election.

1VAC20-60-30. Electronic devices in polling place.

A. Representatives of candidates and political parties authorized to observe the election may use cell phones or other electronic devices provided that the ~~device contains no camera or video recording capacity~~ camera function is not used within the polling place. The officers of election are [~~responsible~~ authorized] to monitor the use of electronic devices for observation of the election and may regulate or prohibit any use the officers determine will hinder or delay a voter or officer of election or otherwise impede the orderly conduct of the election.

Whether a particular call or calls by any authorized representative is deemed to interfere or disrupt the voting process is within the discretion of the officers of election at each ~~precinct~~ polling place as a majority. Any authorized representative may be required to cease the call, make or

receive any such calls outside the ~~precinct~~ polling place, or be removed from the polling ~~precinct~~ place.

B. [~~Use of cell phones and other electronic devices by other persons at polling places shall be monitored by the officers of election who may regulate or prohibit any use the officer determines will hinder or delay a voter or officer of election or otherwise impede the orderly conduct of the election. Use of electronic devices may not interfere nor disrupt the voting process, nor attempt to solicit or attempt to influence any person in casting his vote. At no time may any person use a camera or the camera function on an electronic device to film, digitally capture, or take pictures within the polling place unless such person is an authorized member of the media filming in accordance with § 24.2-604 J of the Code of Virginia. Once a voter enters the prohibited area at the polls as designated in § 24.2-604 of the Code of Virginia, the use of a cell phone or other electronic communication device may be prohibited if deemed a violation of § 24.2-1006 of the Code of Virginia, or if otherwise deemed disruptive to the voting process. Voters are permitted to use cameras or audio or visual recording devices inside the polling place. Officers of election may regulate or restrict the use of these devices by voters if the use hinders, delays, or disrupts the voting process, or the voter attempts to intimidate other voters through use of the device.~~]

Whether a voter's use of a device is deemed in violation of this subsection is within the discretion of the officers of election at each polling place as a majority. Any voter may be required to cease using the device, but no voter may be removed from the polling place for using a device until after the voter has cast his ballot.]

C. Grounds for regulating [~~or prohibiting the~~] use of electronic devices [by authorized representatives of candidates and political parties] include [~~but are not limited to~~] (i) the making or receiving of calls that interfere with or become disruptive to the voting process; (ii) the making or receiving of calls in an attempt to solicit or influence any person in casting his vote; [or] (iii) the [usage of the camera function to film within the polling place or beyond the 40-foot prohibited area; or (iv) the] person using the device is conducting himself in a noisy or riotous manner at or about the polls so as to disturb the election.

D. [~~An officer of election may require any individual using an electronic device subject to regulation under subsection C of this section to cease such use, make or receive calls outside the precinct polling place, or remove the use of the device from the polling place. No policy disallowing use of all electronic devices by all voters is allowed.~~]

Regulations

[~~E. Any action taken pursuant to this section is within the judgment of the officers of election as a majority.~~

~~F. E.]~~ The determination of the officers of election of any dispute concerning the use of electronic devices shall be subject to immediate appeal to the local electoral board.

1VAC20-60-40. When ballot cast.

A. A voter, voting in person on election day or voting absentee in-person, has not voted until a permanent record of the voter's intent is preserved.

B. A permanent record is preserved by a voter (i) pressing the vote or cast button on a direct recording electronic machine, (ii) inserting an optical scan ballot into an electronic counter, ~~or (iii) placing a paper ballot in an official ballot container, or (iv) relinquishing possession of a completed provisional ballot envelope containing the ballot to the possession of an officer of election.~~

C. A vote has not been cast by the voter unless and until the voter or an officer of election or assistant at the direction of and on behalf of the voter pursuant to § 24.2-649 of the Code of Virginia completes these actions to preserve a permanent record of the vote.

D. If any voter's ballot was not so cast by or at the direction of the voter, then the ballot cannot be cast by any officer of election or other person present. Notwithstanding the previous sentence, if a voter inserts a ballot into an optical scanner and departs prior to the ballot being returned by the scanner due to an undervote or overvote, the officer of election may cast the ballot for the absent voter.

E. An absentee voter who votes other than in person shall be deemed to have cast his ballot at the moment he personally delivers the ballot to the general registrar or electoral board or relinquishes control over the ballot to the United States Postal Service or other authorized carrier for returning the ballot as required by law.

1VAC20-60-50. Overfull optical scan ballot container.

If an optical scan reader in use in a registrar's office or a polling place malfunctions because the connected ballot container includes too many ballots, election officials may open the ballot container and empty the ballots with the following safeguards:

1. The optical scan ballot container shall be opened in plain sight of any authorized party representatives or other observers and, once the ballots have been deposited into an auxiliary ballot container, both ballot containers shall remain in plain sight in the polling place.
2. Any such auxiliary ballot container used shall meet the requirements of § 24.2-623 of the Code of Virginia.
3. [~~A In a general, special, or dual-party primary election, a~~] minimum of two officers of election, [~~not~~] representing [~~both the same~~] political [~~parties party~~], shall execute such a transfer of ballots. In a single-party primary election, the transfer shall be conducted by a

minimum of two officers of election who may be members of the same party.

VA.R. Doc. No. R14-3932; Filed March 16, 2016, 11:57 a.m.

Proposed Regulation

REGISTRAR'S NOTICE: The State Board of Elections is claiming an exemption from the Administrative Process Act pursuant to § 2.2-4002 B 8 of the Code of Virginia, which exempts agency action relating to the conduct of elections or eligibility to vote.

Title of Regulation: 1VAC20-80. Recounts and Contested Elections (amending 1VAC20-80-20).

Statutory Authority: § 24.2-103 of the Code of Virginia.

Public Hearing Information: June 14, 2016 - 8 a.m. - Washington Building, Room B27, 1100 Bank Street, Richmond, VA 23219.

Public Comment Deadline: April 25, 2016.

Agency Contact: Myron McClees, Policy Analyst, Department of Elections, 1100 Bank Street, Richmond, VA 23219, telephone (804) 864-8949, FAX (804) 786-0760, or email myron.mcclees@elections.virginia.gov.

Small Business Impact Review Report of Findings: This regulatory action serves as the report of the findings of the regulatory review pursuant to § 2.2-4007.1 of the Code of Virginia.

Summary:

The proposed amendments (i) modify the duties and responsibilities of the State Board of Elections, the Department of Elections, and the Commissioner of Elections and (ii) update certain terminology. The amendments conform to changes in the Code of Virginia enacted by Chapter 542 of the 2013 Acts of Assembly and Chapters 540 and 576 of the 2014 Acts of Assembly.

1VAC20-80-20. Recounts and contested elections.

A. Standards for any recounts or contests requested in the Commonwealth of Virginia shall be governed by Chapter 8 (§ 24.2-800 et seq.) of Title 24.2 of the Code of Virginia.

B. Upon notification by the court that a recount request has been filed pursuant to § 24.2-801 of the Code of Virginia, the ~~State Board~~ Department of Elections shall promptly transmit to the appropriate court and electoral board or boards copies of the instructions corresponding to the types of ballots and equipment used in each county or city involved in the recount.

C. In preparation for the recount and pursuant to § 24.2-802 A of the Code of Virginia, the clerks of the circuit courts shall:

1. Secure all ~~paper printed~~ ballots and other election materials in sealed boxes;
2. Place all of the sealed boxes in a vault or room not open to the public or to anyone other than the clerk and his staff;

3. Cause such vault or room to be securely locked except when access is necessary for the clerk and his staff; and

4. Certify that these security measures have been taken in whatever form is deemed appropriate by the chief judge.

D. After a recount has been requested pursuant to § 24.2-801 of the Code of Virginia, and prior to the preliminary hearing specified in § 24.2-802 B of the Code of Virginia, the electoral board of each county or city in which the recount is to be held shall provide the court and all parties to the recount with:

1. The recommended location and number of recount teams needed to recount ~~paper printed~~ ballots and to redetermine the votes cast on direct recording electronic devices of the type that prints returns for the election district at large in which the recount is being held.

2. The recommended location and number of recount teams needed to insert the ballots read by ~~an electronic counting device~~ a ballot scanner machine into one or more ~~counting devices~~ scanners that have been programmed to count only votes cast for parties to the recount or for or against the question in a referendum recount. Such machines shall also be programmed to reject all undervoted and overvoted ballots as required by § 24.2-802 D of the Code of Virginia. The examination of undervoted and overvoted ballots may take place at the same location before the votes are totaled for that precinct, if so directed by the court. If a different team of officers would be used to examine the undervoted and overvoted ballots, such teams shall be included in the total number recommended for this item.

3. A complete list of all officers of election who served at the election to be recounted, with the political party they represented at that election listed beside their names, the precinct where each officer served, each officer's address and phone number or numbers, and an indication of which officers served as chief or assistant chief officers. Such list shall note recommended recount officials who the court may appoint if the officials and alternates recommended by the parties to the recount are not of sufficient number to conduct the recount within a reasonable period. Such list shall be provided by the local electoral boards for both parties to the recount, or by the Secretary Commissioner of the ~~State Board~~ Department of Elections in the case of a recount for federal or statewide office or a statewide ballot issue, prior to the preliminary hearing, or as soon thereafter as possible, to assist them in preparing their selections of officers to be recount officials or alternates.

4. A list of the members of the electoral board and the political parties they represent. Such list shall be provided by the local electoral boards to both parties to the recount or by the Secretary Commissioner of the ~~State Board~~ Department of Elections in the case of a recount for federal or statewide office or a statewide ballot issue.

E. To facilitate the conduct of any pending or expected recount for a federal or statewide office or statewide ballot issue, the ~~Secretary Commissioner~~ of the ~~State Board~~ Department of Elections may coordinate the gathering of the recommendations and information from the electoral boards and provide such recommendations and information to the court prior to the preliminary hearing specified in § 24.2-802 B of the Code of Virginia on behalf of the electoral boards. The electoral board of each county or city in which the recount is to be held shall provide the requested information to the Secretary Commissioner of the ~~State Board~~ Department of Elections.

F. Pursuant to § 24.2-802 A of the Code of Virginia, the procedures issued by the State Board of Elections, and any other procedures directed by the court, shall be as uniform as possible throughout the entire district in which the recount is being conducted, given the differences in types of equipment and ballots used in the election.

G. For any paper ballot that is to be counted manually and can be counted manually, the guidelines adopted by the State Board of Elections for hand-counting shall be used in determining the voter's intent ("Ballot Examples for Handcounting Paper or Paper-Based Ballots for Virginia Elections or Recounts").

H. The State Board of Elections, Department of Elections, and the appropriate electoral boards shall provide any other assistance requested by the court.

VA.R. Doc. No. R16-4650; Filed March 16, 2016, 11:54 a.m.

GENERAL NOTICES/ERRATA

STATE CORPORATION COMMISSION

Bureau of Insurance

March 8, 2016

Administrative Letter 2016-01

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

RE: 14VAC5-190-10 et seq.: Rules Governing the Reporting of Cost and Utilization Data Relating to Mandated Benefits and Mandated Providers - 2015 Reporting Period

The purpose of this Administrative Letter is to notify carriers of new procedures that the Bureau of Insurance (Bureau) will implement for the submission of cost and utilization data relating to mandated benefits and mandated providers for the 2015 reporting period. While the data to be reported remains essentially unchanged from that which was reported last year, some procedural changes will be made to facilitate the identification of carriers required to submit either complete or abbreviated reports and to address revisions made in 2015 to many of the codes associated with mandated benefit and provider procedures and services. All carriers should take note of the following important changes that will apply to the submission of cost and utilization data for the 2015 reporting period, due on or before May 1, 2016.

Through a review of applicable written premium information reported by carriers to the Commission in the carriers' annual statements, the Bureau will identify and notify any and all carriers that will be required to submit either a complete or an abbreviated report pursuant to 14VAC5-190-40. Notifications to carriers will be made on or before April 1, 2016.

In consideration of the fact that the ICD (International Classification of Diseases) Codes were revised and updated to version 10 effective October 1, 2015, the Bureau will collect mandated benefit and mandated provider data utilizing the ICD-9-CM codes only, inclusive of the first three quarters (January through September) of reporting year 2015. The applicable codes for each mandated benefit will be identified and available through a link on the Bureau's webpage, which will be provided with the carrier notifications as outlined above.

Except for the shortened time period addressed above for reporting year 2015, the type of data to be reported will be virtually identical to that which was reported for reporting year 2014.

Correspondence regarding reporting requirements should be directed to Eric Lowe, Policy Advisor, Policy and Compliance Division, State Corporation Commission, Bureau of Insurance, P.O. Box 1157, Richmond, VA 23218, telephone (804) 371-9628, FAX (804) 371-9873, or email eric.lowe@scc.virginia.gov.

System related questions or problems should be directed to Andrew Iverson, Insurance Analyst, Automated Systems, State Corporation Commission, P.O. Box 1157, Richmond, VA 23218, telephone (804) 371-9851, FAX (804) 371-9516, or email andrew.iverson@scc.virginia.gov.

/s/ Jacqueline K. Cunningham
Commissioner of Insurance

DEPARTMENT OF ENVIRONMENTAL QUALITY

Coronal Development Services

Coronal Development Services on behalf of Essex Solar Center, LLC has submitted a notice of intent to submit the necessary documentation for a permit by rule for a small renewable energy project (solar) in Essex County, Virginia, pursuant to 9VAC15-60. Sited on approximately 275 acres, the project is located in Dunnsville, Essex County, Virginia off Highway 17 near the Dominion Power Dunnsville Electrical Substation. The project will have a maximum capacity of 20 megawatts alternating current (AC) and, depending on final design, consist of approximately 88,000 solar photovoltaic modules on an aluminum or steel racking structure and approximately 20 separate concrete pads.

Contact Information: Mary E. Major, Department of Environmental Quality, 629 East Main Street, P.O. Box 1105, Richmond, VA 23218, telephone (804) 698-4423, FAX (804) 698-4510, or email mary.major@deq.virginia.gov.

Notice of Intent for Solar Energy Project in Brink, Virginia

SolUnesco LLC, has provided notice to the Department of Environmental Quality of its intent to submit the necessary documentation for a permit by rule for a small renewable energy project (solar) in Brink, Virginia, pursuant to 9VAC15-60. SolUnesco and One Energy Renewables are developing a 76.8 MW DC, 60 MW AC (243,751 320W panels) solar farm located in Brink, Virginia, Greensville County. The system will be a ground-mounted array covering four parcels of about 467 acres and will have an assumed point of interconnection at the 115 kV Brink-Trego transmission line located near the Brink Substation, Emporia District within the Mecklenburg Electric Cooperative service territory located approximately one mile away. An option to lease has been secured for the site from the property owners, and three interconnection requests have been submitted to PJM (AB1-173, AB1-173A, AB2-031). The parcels are zoned "A Agricultural District" and rezoning will not be required, although Greensville County will require approval for a special use permit. The parcel is contained within a natural resource overlay district allowing for surface mining for minerals and is currently in the advanced stages of a reclamation process subsequent to these mining operations. Preliminary conversations with Greensville County Planning

Director indicate support for special use permit approval for this solar project.

NOTE: A notice of intent was previously released for the project - See the Virginia Register of Regulations, [Volume 32, Issue 2, September 21, 2015](#).

Contact Information: Mary Major, Department of Environmental Quality, 629 East Main Street, P.O. Box 1105, Richmond, VA 23218, telephone (804) 698-4423, FAX (804) 698-4510, or email mary.major@deq.virginia.gov.

VIRGINIA LOTTERY

Director's Orders

The following Director's Orders of the Virginia Lottery were filed with the Virginia Registrar of Regulations on March 15, 2016. The orders may be viewed at the Virginia Lottery, 900 East Main Street, Richmond, VA, or at the office of the Registrar of Regulations, 201 North 9th Street, 2nd Floor, Richmond, VA.

Director's Order Number Forty-Three (16)

Virginia Lottery's "Q4 eXTRA Chances Scratcher Promotion" Final Rules for Operation (effective March 29, 2016)

Director's Order Number Forty-Four (16)

7-Eleven Market Battles Virginia Lottery Retailer Incentive Program Requirements (This Director's Order becomes effective on April 1, 2016, and shall remain in full force and effect until ninety (90) days after the conclusion of the incentive program, unless otherwise extended by the Director)

Director's Order Number Forty-Five (16)

Virginia's Lottery Scratch Game 1605 "Bankroll Bonus" Final Rules for Game Operation (effective March 4, 2016)

Director's Order Number Forty-Six (16)

Virginia's Lottery Scratch Game 1602 "Money Bag Doubler" Final Rules for Game Operation (effective March 4, 2016)

Director's Order Number Forty-Seven (16)

Virginia's Lottery Scratch Game 1611 "Cash Vault" Final Rules for Game Operation (effective March 4, 2016)

Director's Order Number Forty-Eight (16)

"June Out-of-Stock Contest" Retailer Incentive Program Promotion (This Director's Order becomes effective on June 1, 2016, and shall remain in full force and effect until ninety (90) days after the conclusion of the incentive program, unless otherwise extended by the Director)

Director's Order Number Forty-Nine (16)

"Speedy Rewards - Virginia Lottery Sweepstakes" Virginia Lottery Retailer Incentive Program Requirements (This Director's Order becomes effective on May 2, 2016, and shall remain in full force and effect until ninety (90) days after the conclusion of the incentive program, unless otherwise extended by the Director)

Director's Order Number Fifty-One (16)

Virginia's Lottery Scratch Game 1654 "2X the Money" Final Rules for Game Operation (effective March 4, 2016)

Director's Order Number Fifty-Two (16)

Virginia's Lottery Scratch Game 1582 "Queen of Hearts" Final Rules for Game Operation (effective March 9, 2016)

Director's Order Number Fifty-Three (16)

Virginia Lottery's "Premium Registration Coupon Promotion" Final Rules for Operation (This Director's Order becomes effective on March 21, 2016, and shall remain in full force and effect through the end promotion date unless amended or rescinded by further Director's Order)

Director's Order Number Fifty-Four (16)

Certain Virginia Promotion; End of Promotion - Virginia Lottery's Premium Registration Coupon Promotion (14 16) (effective March 31, 2016)

Director's Order Number Fifty-Five (16)

Certain Virginia Promotion; Rescission of Promotion - Virginia Lottery's We're Game for Education Promotion (37 16) (effective March 7, 2016)

Director's Order Number Fifty-Six (16)

Virginia Lottery's "We're Game for Education" Promotion Final Rules for Operation (effective March 11, 2016)

STATE WATER CONTROL BOARD

Proposed Consent Order for Sheetz, Inc.

An enforcement action has been proposed for Sheetz, Inc. for violations in Shenandoah County, Virginia. The State Water Control Board proposes to issue a consent order to Sheetz, Inc. to address noncompliance with State Water Control Law. A description of the proposed action is available at the Department of Environmental Quality office named below or online at www.deq.virginia.gov. Tiffany Severs will accept comments by email at tiffany.severs@deq.virginia.gov, FAX at (540) 574-7878, or postal mail at Department of Environmental Quality, Valley Regional Office, 4411 Early Road, P.O. Box 3000, Harrisonburg, VA 22801, from April 4, 2016, to May 4, 2016.

Proposed Enforcement Action for Southwood Apartments, LLC

An enforcement action has been proposed for Southwood Apartments, LLC for violations at the Southwood Apartments at 1600 Clarkson Road, Richmond, Virginia. The enforcement action is for an unpermitted wastewater discharge and requires corrective action and payment of a civil charge. A description of the proposed action is available at the Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, VA 23060 or online at www.deq.virginia.gov. Frank Lupini will accept comments by email at frank.lupini@deq.virginia.gov, FAX at (804) 527-5106, or postal mail at Department of Environmental Quality from April 4, 2016, to May 5, 2016.

30-day Public Comment Period on Revisions to the List of Impaired Waters Prioritized for TMDL or TMDL Alternative Development for 2016-2022

Public comment process: The Department of Environmental Quality (DEQ) seeks written or electronic comments from interested persons on the revised list of impaired waters prioritized for [total maximum daily load \(TMDL\) or TMDL alternative development](#) throughout 2016-2022. The public comment period will begin April 4, 2016, and end May 4, 2016. Please note that all written comments should include the name, address, and telephone number of the person submitting the comments. DEQ will hold a public meeting to address and discuss the revised list of impaired waters prioritized for TMDL or TMDL alternative development if there is sufficient interest from the public. For more information or to submit written or electronic comments, please contact Will Isenberg, Department of Environmental Quality, P.O. Box 1105, Richmond, VA 23218, telephone (804) 698-4228, or email william.isenberg@deq.virginia.gov.

Background: DEQ is implementing the national [303\(d\) Program Vision](#), which facilitates the prioritization of impaired waters for TMDL or TMDL alternative development throughout 2016-2022. While the national 303(d) Program Vision involves prioritizing impaired waters for TMDL or TMDL alternative development, DEQ took this opportunity to also prioritize impaired waters that require a stressor analysis report or a natural conditions report. TMDLs or TMDL alternatives are reports that outline necessary reductions in pollutant or pollution loads in order to restore water quality. In some cases, stressor analyses must be conducted prior to any restoration plan development due to the uncertain causes of water quality impairment. These reports analyze water quality data to determine what the most probable stressors are that contribute to the impaired status of the water. In other cases where either a stressor analysis or a watershed characteristic suggests that the impaired status of the water is due more to natural conditions than human activity, a natural conditions report is conducted.

In the late summer of 2015, DEQ assembled a draft list of prioritized impaired waters and issued public notices of that list for public comment on July 27, 2015. The 30-day public comment period ended August 26, 2015. Only one comment was received and addressed by DEQ. It did not result in any changes to the priorities list that was then finalized following the close of the comment period and submitted to the U.S. Environmental Protection Agency (EPA) in accordance with the new § 303(d) Program Vision. Soon thereafter in the early winter of 2015-2016, EPA announced that these priorities lists could be revised. This opportunity to revise the priorities list was due to challenges incurred by states throughout this first submittal of priority waters as part of the new § 303(d) Program Vision, in addition to the fact that EPA was allowing TMDL revisions to be included as priorities for the first time. Accordingly, this 30-day public comment period is for the revised list of prioritized impaired waters.

Before finalizing the revised list of prioritized impaired waters, DEQ is seeking comments from the public on this revised list of priorities. DEQ will hold a public meeting to address and discuss the revised priorities list if there is sufficient interest from the public. Once all of the comments have been addressed following the 30-day public comment period, DEQ will finalize the revised 2016-2022 priorities list and post it on [DEQ TMDL program webpage](#). The final list will also be published in the 2016, 2018, and 2020 biennial [§§ 305\(b\)/303\(d\) Integrated Reports](#), where it will be available for additional public comment under the comment period for the entire Integrated Report.

External links to priorities information:

1. [Description of the Process for Prioritizing Impaired Waters](#)
2. [Revised List of Prioritized Impaired Waters](#)

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 (DEQ) on the proposed amendment. The purpose of the amendment to the state's Water Quality Management Planning Regulation (9VAC25-720) is to adopt 31 new total maximum daily load (TMDL) wasteload allocations, replace two TMDL wasteload allocations with revised values, and make revisions to eight errors in the Water Quality Management Planning Regulation.

Public comment period: April 4, 2016, to May 4, 2016.

Description of proposed action: DEQ staff will propose amendments of the state's Water Quality Management Planning Regulation for the Potomac-Shenandoah River Basin (9VAC25-720-50 A), the James River Basin (9VAC25-720-60 A), the Tennessee-Big Sandy River Basin (VAC25-720-90 A), the Chesapeake Bay-Small Coastal-Eastern Shore River Basin (9VAC25-720-110 A), the York River Basin (9VAC25-720-120 A), and the New River Basin (9VAC25-720-130 A). Statutory authority for promulgating these amendments can be found in subdivision 10 of § 62.1-44.15 of the Code of Virginia.

Staff intends to recommend (1) that the Board approve the seven TMDL reports as the plan for the pollutant reductions necessary for attainment of water quality goals in the impaired segments, (2) that the board authorize inclusion of the seven TMDL reports in the appropriate water quality management plan, (3) that the board adopt 31 new TMDL wasteload allocations and replace two existing TMDL wasteload allocations (WLAs) with revised values as part of the state's Water Quality Management Planning Regulation, and (4) revise eight errors in the Water Quality Management Planning Regulation in accordance with § 2.2-4006 B of the Code of Virginia.

The TMDL reports were developed in accordance with federal regulations (40 CFR 130.7) and are exempt from the provisions of Article 2 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 TMDL.

As of July 1, 2014, TMDL WLAs can receive State Water Control Board approval prior to EPA approval due to amendments outlined in § 2.2-4006 A 14 of the Code of Virginia. The seven TMDL reports in this public notice have been reviewed by EPA for required TMDL elements, however, remain in draft form awaiting State Water Control Board approval. The draft reports can be found at <http://www.deq.virginia.gov/Programs/Water/WaterQualityInformationTMDLs/TMDL/TMDLDevelopment/DraftTMDLReports.aspx>.

As part of a review of the Water Quality Management Planning Regulation in the fall of 2014, eight errors were observed. The eight proposed revisions to the WLAs in the Potomac-Shenandoah River Basin (9VAC25-720-50 A), Tennessee-Big Sandy River Basin (9VAC25-720-90 A), and Chesapeake Bay-Small Coastal-Eastern Shore River Basin (9VAC25-720-110 A) include revisions to seven errors and the revision of one WLA to be in accordance with the EPA approved TMDL modification. Public notice of these eight errors was published on September 7, a public meeting was held on September 17, and a public comment period lasted from September 17, 2015, to October 19, 2015, in accordance

with DEQ's Public Participation Procedures for Water Quality Management Planning. No comments were received. The presentation from the September 17 public meeting describing the eight errors and revisions can be found at the following web address: http://www.deq.virginia.gov/Portals/0/DEQ/Water/TMDL/Proposed_Revisions_to_the_WQM_PR.pdf.

Affected waterbodies and localities for the 31 new TMDL wasteload allocations:

Potomac-Shenandoah River Basin (9VAC25-720-50 A):

1. "TMDLs for Turley Creek (sediment) and Long Meadow Run (sediment and nitrogen) Rockingham County, Virginia."

- The Turley Creek and Long Meadow Run TMDL, located in Rockingham County, proposes sediment reductions for the Turley Creek and Long Meadow Run watersheds and provides sediment wasteload allocations of 19.87 tons/year and 27.92 tons/year.

- The Turley Creek and Long Meadow Run TMDL, located in Rockingham County, proposes nitrogen reductions for the Long Meadow Run watershed and provides a nitrogen wasteload allocation of 520.6 lbs/yr.

James River Basin (9VAC25-720-60 A):

2. "Sediment TMDLs for Moores Creek, Lodge Creek, Meadow Creek, and Schenks Branch in Albemarle County and Charlottesville City, Virginia."

- The Moores Creek, Lodge Creek, Meadow Creek, and Schenks Branch TMDL, located in Albemarle County and the City of Charlottesville, proposes sediment reductions for the Moores Creek, Lodge Creek, Meadow Creek, and Schenks Branch watersheds and provides sediment wasteload allocations of 809.58 tons/yr, 46.25 tons/yr, 452.33 tons/yr, and 134.52 tons/yr.

Tennessee-Big Sandy River Basin (VAC25-720-90 A):

3. "E. coli TMDL Development for South Fork Holston River in Smyth and Washington Counties, VA"

- The South Fork Holston River TMDL, located in Smyth and Washington Counties, proposes E. coli reductions for the South Fork Holston River watershed and provides an E. coli wasteload allocation of 7.52E+12 cfu/yr.

York River Basin (9VAC25-720-120 A):

4. "Bacteria Total Maximum Daily Load (TMDL) Development for the Mattaponi River Watershed Located in Orange, Spotsylvania, Caroline, King William, and King and Queen Counties, Virginia"

General Notices/Errata

- The Mattaponi River Watershed TMDL, located in Orange, Spotsylvania, Caroline, King William, and King and Queen Counties, proposes E. coli reductions for the Brock Run, Chapel Creek, Doctors Creek, Glady Run, Maracossic Creek, Mat River, Matta River, Mattaponi River, Motto River, Po River, Polecat Creek, Poni River, Reedy Creek, and Root Swamp watersheds and provides E. coli wasteload allocations of 3.09E+10 cfu/yr, 1.25E+12 cfu/yr, 3.24E+11 cfu/yr, 1.85E+11 cfu/yr, 5.24E+12 cfu/yr, 1.94E+11 cfu/yr, 2.14E+12 cfu/yr, 6.16E+12 cfu/yr, 6.48E+10 cfu/yr, 1.46E+12 cfu/yr, 1.56E+11 cfu/yr, 2.93E+12 cfu/yr, 2.08E+11 cfu/yr, and 5.15E+11 cfu/yr.

New River Basin (9VAC25-720-130 A):

5. "Bacteria TMDL Development for East Wilderness Creek, Kimberling Creek, Nobusiness Creek, Town Creek, and Walker Creek in Bland and Giles Counties Virginia"

- The East Wilderness Creek, Kimberling Creek, Nobusiness Creek, Town Creek, and Walker Creek TMDL, located in Bland and Giles Counties, proposes E. coli reductions for the East Wilderness Creek, Kimberling Creek, Nobusiness Creek, Town Creek, Walker Creek segment 1, Walker Creek segment 2, and Walker Creek segment 3 watersheds and provides E. coli wasteload allocations of 1.89E+11 cfu/yr, 1.96E+12 cfu/yr, 1.38E+12 cfu/yr, 1.73E+12 cfu/yr, 2.70E+12 cfu/yr, 3.45E+12 cfu/yr, and 3.10E+11 cfu/yr

6. "E. coli TMDL Development for Wolf Creek and Tributaries in Giles, Bland and Tazewell County, VA"

- The Wolf Creek and Tributaries TMDL, located in Giles, Bland, and Tazewell Counties, proposes E. coli reductions for the Wolf Creek Headwaters and Wolf Creek watersheds and provides E. coli wasteload allocations of 6.82E+10 cfu/yr and 1.14E+11 cfu/yr

Affected waterbodies and localities for the two revised TMDL wasteload allocations:

James River Basin (9VAC25-720-60 A):

7. "Bacteria Total Maximum Daily Load Development for North Fork Hardware River and Hardware River"

- The revised North Fork Hardware River and Hardware River TMDL, located in Albemarle and Fluvanna Counties, proposes E. coli reductions for the North Fork Hardware River and Hardware River watersheds and provides E. coli wasteload allocations of 0.06E+12 cfu/yr and 0.02E+13 cfu/yr.

Descriptions of revisions for the eight Water Quality Management Planning Regulation errors:

Potomac-Shenandoah River Basin (9VAC25-720-50 A):

The proposed revisions in the Potomac-Shenandoah River Basin Water Quality Management Planning Regulation (WQMPR) apply to TMDLs 1, 9, 58, and 59 in Part A of the regulation. For TMDL #1, proposed changes include a revision of the stream name to read "Muddy Creek, Dry River and tributaries to North River," and a revision to the water body ID (WBID) to include B22R. For TMDL #9, the proposed change includes a revision of the current WLA in regulation to be the EPA approved value from the TMDL report of 116 lbs/year. TMDLs 58 and 59 are duplicates of TMDL #29 and #30, respectively. Therefore, it is proposed that TMDL #58 and #59 be removed from the WQMPR.

The following EPA approved TMDL reports apply to revisions for TMDL #1, #9, #58, and #59 described above:

- TMDL #1 Muddy Creek: <http://www.deq.virginia.gov/portals/0/DEQ/Water/TMDL/apptmdls/shenrvr/muddyni.pdf>

- TMDL #9 Mill Creek: <http://www.deq.virginia.gov/portals/0/DEQ/Water/TMDL/apptmdls/shenrvr/plmillbc.pdf>

- TMDL #s 29-30 & 58-59 Abrams Creek; Lower Opequon Creek: <http://www.deq.virginia.gov/portals/0/DEQ/Water/TMDL/apptmdls/shenrvr/abropebc.pdf>

Tennessee-Big Sandy River Basin (9VAC25-720-90 A):

The proposed revisions in the Tennessee-Big Sandy River Basin (9VAC25-720-90 A) WQMPR apply to TMDL #6 and #9 in Part A of the regulation. For TMDL #6, the proposed change includes a revision of the current WLA in regulation to be the EPA approved value from the TMDL report of 21,732 lbs/year. For TMDL #9, the proposed change includes a revision of the current WLA in regulation to be the EPA approved value from the TMDL modification of 322,234 kg/year. The following EPA approved TMDL reports and modifications apply to revisions for TMDL #6 and #9 described above:

- TMDL #6 Lewis Creek: <http://www.deq.virginia.gov/portals/0/DEQ/Water/TMDL/apptmdls/tenbigvr/lewisbc.pdf>

- TMDL #9 Dumps Creek modification & report: <http://www.deq.virginia.gov/portals/0/DEQ/Water/TMDL/apptmdls/mod/dumpsmod.pdf>

- <http://www.deq.virginia.gov/portals/0/DEQ/Water/TMDL/apptmdls/tenbigvr/dumps.pdf>

Chesapeake Bay-Small Coastal-Eastern Shore River Basin (9VAC25-720-110 A):

The proposed revisions in the Chesapeake Bay-Small Coastal-Eastern Shore River Basin (9VAC25-720-110 A) WQMPR apply to TMDL #3 and #4 in Part A of the regulation. For TMDL #3, the proposed change includes a revision to the current WLA in regulation to be the EPA

approved value from the TMDL report of 0.31 lbs/day. For TMDL #4, the proposed change includes a revision to the current WLA in regulation to be the EPA approved value from the TMDL report of 0.10 lbs/day.

The following EPA approved TMDL report applies to revisions for TMDL #3 and #4 described above:

TMDL #3 and #4 Mill Creek; Mill Creek:
<http://www.deq.virginia.gov/portals/0/DEQ/Water/TMDL/apptmdls/baycoast/millcrdo.pdf>

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 are available on the DEQ website at <http://www.deq.virginia.gov/Programs/Water/WaterQualityInformationTMDLs/TMDL/TMDLDevelopment/DraftTMDLReports.aspx> and by contacting the DEQ representative named below for any report. The electronic copies are in PDF format and may be read online or downloaded.

Contact for public comments, document requests, and additional information: Liz McKercher, Department of Environmental Quality, P.O. Box 1105, Richmond, VA 23218, telephone (804) 698-4291, FAX (804) 698-4032, or email elizabeth.mckercher@deq.virginia.gov.

VIRGINIA WASTE MANAGEMENT BOARD

Notice of Periodic Review and Small Business Impact Review

Pursuant to Executive Order 17 (2014) and §§ 2.2-4007.1 and 2.2-4017 of the Code of Virginia, the Virginia Waste Management Board is currently reviewing each of the regulations listed below to determine whether the regulation should be repealed, amended, or retained in its current form. The review of each regulation will be guided by the principles in Executive Order 17 (2014). Public comment is sought on the review of any issue relating to each regulation, including whether the regulation (i) is necessary for the protection of public health, safety, and welfare or for the economical performance of important governmental functions; (ii) minimizes the economic impact on small businesses in a manner consistent with the stated objectives of applicable law; and (iii) is clearly written and easily understandable.

9VAC20-20, Schedule of Fees for Hazardous Waste Facility Site Certification

9VAC20-30, Technical Assistance Fund Administrative Procedures

9VAC20-40, Administrative Procedures for Hazardous Waste Facility Site Certification

9VAC20-50, Hazardous Waste Facility Siting Criteria

9VAC20-150, Waste Tire End User Reimbursement Regulation

The comment period begins April 4, 2016, and ends April 25, 2016.

Comments must include the commenter's name and address (physical or email) information in order to receive a response to the comment from the agency. Following the close of the public comment period, a report of both reviews will be posted on the Town Hall and a report of the small business impact review will be published in the Virginia Register of Regulations.

Contact Information: Melissa Porterfield, Policy Analyst, Department of Environmental Quality, P.O. Box 1105, Richmond, VA 23218, telephone (804) 698-4238, FAX (804) 698-4019, or email melissa.porterfield@deq.virginia.gov.

VIRGINIA CODE COMMISSION

Notice to State Agencies

Contact Information: *Mailing Address:* Virginia Code Commission, General Assembly Building, 201 North 9th Street, 2nd Floor, Richmond, VA 23219; *Telephone:* Voice (804) 786-3591; *Email:* varegs@dls.virginia.gov.

Meeting Notices: Section 2.2-3707 C of the Code of Virginia requires state agencies to post meeting notices on their websites and on the Commonwealth Calendar at <http://www.virginia.gov/connect/commonwealth-calendar>.

Cumulative Table of Virginia Administrative Code Sections Adopted, Amended, or Repealed: A table listing regulation sections that have been amended, added, or repealed in the *Virginia Register of Regulations* since the regulations were originally published or last supplemented in the print version of the Virginia Administrative Code is available at <http://register.dls.virginia.gov/documents/cumultab.pdf>.

Filing Material for Publication in the Virginia Register of Regulations: Agencies use the Regulation Information System (RIS) to file regulations and related items for publication in the *Virginia Register of Regulations*. The Registrar's office works closely with the Department of Planning and Budget (DPB) to coordinate the system with the Virginia Regulatory Town Hall. RIS and Town Hall complement and enhance one another by sharing pertinent regulatory information.

