



COMMONWEALTH of VIRGINIA

Office of the Attorney General

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MEMORANDUM

To: Tanya Pettus
Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals
DPOR

From: Joshua E. Laws
Senior Assistant Attorney General

Date: August 11, 2023

Subject: Letter of Assurance for Periodic Review of Regulations – Board Regulations found at 18 VAC 160-11

Pursuant to the *Code of Virginia* and Executive Order 19 (2022), a periodic review of a regulation every four years shall include an examination by the Office of the Attorney General to ensure statutory authority. In that regard, I have reviewed the Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals regulation referenced above. In my view, as counsel to the Virginia Board for Contractors, these regulations may be promulgated pursuant to Titles 2.2 and 54.1 of the *Code of Virginia*. The regulations do not appear to conflict with the Constitution of the United States or the Constitution of the Commonwealth of Virginia, nor do they appear to conflict with any federal or state law currently in effect.

This memorandum addresses legal matters only and is not intended to serve, nor should it be construed, as a comment for or against the merits of the proposed regulations.